



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 2.

Subject:

County Administrator's Comments

County Administrator's Comments:

County Administrator: _____

LB

Board Action Requested:

Summary of Information:

Chief Robert Eanes will recognize Mr. Robert Pratt, Fleet Manager, Department of General Services, who will be presented with a coveted E2 Certification for Environmental Excellence by the Virginia Department of Environmental Quality.

Preparer: Robert L. Eanes

Title: Assistant to County Administrator

Attachments:

☐

Yes

☒

No

#000001



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

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Meeting Date: May 26, 2004

Item Number: 5.A.

Subject:

Resolutions Honoring Those who have Served in and Supported the United States Military

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely "JBR", is written over the line for the County Administrator.

Board Action Requested:

Mr. Miller requested that the following resolutions be adopted.

Summary of Information:

These resolutions recognizes Colonel Jesse J. Mayes, United States Army, (retired), The Honorable Judge Ernest P. Gates, Sr., and Mr. Baxter Perkinson, all veterans, who will be present to receive resolutions for their service as well as their support for those serving in the United States military, past and present.

Preparer: Donald J. Kappel

Title: Director, Public Affairs

Attachments:



Yes



No

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000002

RECOGNIZING LIEUTENANT COLONEL JESSE J. MAYES, U. S. ARMY, (RETIRED)
FOR HIS MILITARY SERVICE AND SUPPORT FOR THE MILITARY

WHEREAS, Chesterfield County is committed to honoring and supporting the men and women who currently serve in the U. S. military; and

WHEREAS, Chesterfield County is also dedicated to honoring those who have served our nation honorably in the past as members of the U. S. military; and

WHEREAS, Lieutenant Colonel Jesse J. Mays retired from the United States Army on November 30, 1964 after serving his country honorably and with distinction for 22 years; and

WHEREAS, Mr. Baxter Perkinson, Sr., is a Chesterfield County resident and World War II veteran of "the Battle of the Bulge"; and

WHEREAS, in 1983, Mr. Perkinson was also chairman of the Citizenship and Patriotism Committee of the South Chesterfield Ruritan Club, as well as past-president of that organization; and

WHEREAS, Mr. Perkinson had planned a July 4th ceremony in 1983 at the county's Historic 1917 Courthouse; and

WHEREAS, Mr. Perkinson sought the approval of the Matoaca District Supervisor, Jesse J. Mayes; and

WHEREAS, Colonel Mayes was very supportive of Mr. Perkinson's plans to honor our nation's veterans with this 4th of July ceremony; and

WHEREAS, Colonel Mayes obtained the support of the Chesterfield County Board of Supervisors for this patriotic event; and

WHEREAS, this 1983 ceremony has grown into an annual event that draws visitors and veterans' organizations from throughout the region; and

WHEREAS, it is right to give our nation's veterans this well-earned respect and remembrance.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 26th day of May 2004, publicly recognizes Lieutenant Colonel Jesse J. Mayes, U. S. Army, (Retired) and extends appreciation for his military service, as well as for his support for our nation's veterans, including those from Chesterfield County; expresses gratitude for the innumerable other contributions he has made to the safety and quality of life of our county while serving on the Board of Supervisors; and wishes him continued health, happiness and success.

RECOGNIZING THE HONORABLE JUDGE ERNEST P. GATES, SR., (RETIRED)
FOR HIS MILITARY SERVICE AND SUPPORT FOR THE MILITARY

WHEREAS, Chesterfield County is committed to honoring and supporting the men and women who currently serve in the U. S. military; and

WHEREAS, Chesterfield County is also dedicated to honoring those who have served our nation honorably in the past as members of the U. S. military; and

WHEREAS, The Honorable Judge Ernest P. Gates, Sr., Retired Judge, Twelfth Circuit Court, served honorably with the United States Navy during World War II; and

WHEREAS, then Ensign Gates was wounded in a kamikaze attack on his ship during the battle for Okinawa; and

WHEREAS, he was awarded the Purple Heart in recognition of the wounds he suffered while serving his country; and

WHEREAS, Mr. Baxter Perkinson, Sr., is a Chesterfield County resident and World War II veteran of "the Battle of the Bulge"; and

WHEREAS, in 1983, Mr. Perkinson was also chairman of the Citizenship and Patriotism Committee of the South Chesterfield Ruritan Club, as well as past-president of that organization; and

WHEREAS, Mr. Perkinson had planned a July 4th ceremony in 1983 at the county's Historic 1917 Courthouse; and

WHEREAS, Mr. Perkinson sought the approval of the Honorable Judge Ernest P., Gates, Sr., Circuit Court Judge, to use the courthouse for the ceremony in the event of inclement weather; and

WHEREAS, Judge Gates was very supportive of Mr. Perkinson's plans to honor our nation's veterans with this 4th of July ceremony; and

WHEREAS, Judge Gates also suggested that a Veterans Memorial Wall be constructed at the site of the historic courthouse to honor all military veterans, especially those who were residents of Chesterfield County; and

WHEREAS, this 1983 ceremony has grown into an annual event that draws visitors and veterans' organizations from throughout the region; and

WHEREAS, it is right to give our nation's veterans this well-earned respect and remembrance.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 26th day of May 2004, publicly recognizes retired Judge Ernest P. Gates, Sr., and extends appreciation for his military service and personal sacrifice, as well as for his support for our nation's veterans, including those from Chesterfield County; expresses gratitude for the innumerable other contributions he has made to the safety and quality of life of our county while serving on the bench; and wishes him continued success and happiness in his retirement.

000004

RECOGNIZING MR. BAXTER PERKINSON, SR., U. S. VETERAN,
FOR HIS MILITARY SERVICE AND SUPPORT FOR THE MILITARY

WHEREAS, Chesterfield County is committed to honoring and supporting the men and women who currently serve in the U. S. military; and

WHEREAS, Chesterfield County is also dedicated to honoring those who have served our nation honorably in the past as members of the U. S. military; and

WHEREAS, Mr. Baxter Perkinson, Sr., is a Chesterfield County resident and World War II veteran of the famous "Battle of the Bulge"; and

WHEREAS, in 1983, Mr. Perkinson was also chairman of the Citizenship and Patriotism Committee of the South Chesterfield Ruritan Club, as well as past-president of that organization; and

WHEREAS, Mr. Perkinson had planned a July 4th ceremony in 1983 at the county's Historic 1917 Courthouse; and

WHEREAS, Mr. Perkinson sought permission from Judge Ernest P. Gates, Sr., Twelfth Judicial Circuit, to use the site of the Historic 1917 Courthouse for the ceremony; and

WHEREAS, Mr. Perkinson also sought the approval of the Matoaca District Supervisor, Lieutenant Colonel Jesse J. Mayes, U. S. Army (Retired); and

WHEREAS, both Judge Gates and Colonel Mayes were very supportive of Mr. Perkinson's plans to honor our nation's veterans with this 4th of July ceremony; and

WHEREAS, this 1983 ceremony has grown into an annual event that draws visitors and veterans' organizations from throughout the region; and

WHEREAS, it is right to give our nation's veterans this well-earned respect and remembrance.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 26th day of May 2004, publicly recognizes Mr. Baxter Perkinson, Sr. for his patriotism, extends appreciation for his military service, as well as for his support for our nation's veterans, especially those from Chesterfield County; expresses gratitude for the innumerable other contributions he has made to the county through his untiring efforts on behalf of our nation's veterans, and wishes him continued health, happiness and success.

000005



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: May 26, 2004

Item Number: 5.B.

Subject:

Resolution Recognizing Mr. David Witt, an Extraordinary Virginia Special Olympics Athlete

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

The Sheriff's Office requests the Board adopt the attached resolution.

Summary of Information:

The Sheriff's Office requests the Board adopt the attached resolution recognizing David Witt, for his tireless participation in Virginia Special Olympics, the extraordinary example of dedication he sets for others and his global representation of Special Olympics Virginia and Chesterfield County.

Preparer: Clarence G. Williams, Jr.

Title: Sheriff

Attachments:



Yes



No

#000006

RECOGNIZING MR. DAVID WITT FOR HIS TIRELESS PARTICIPATION IN
VIRGINIA SPECIAL OLYMPICS, THE EXTRAORDINARY EXAMPLE OF
DEDICATION HE SETS FOR OTHERS AND HIS GLOBAL REPRESENTATION
OF SPECIAL OLYMPICS VIRGINIA AND CHESTERFIELD COUNTY

WHEREAS, Mr. David Witt has been a resident of Chesterfield County since 1985 and attends L.C. Bird High School; and

WHEREAS, Mr. Witt has been an active and devoted participant of Special Olympics Virginia for 11 years; and

WHEREAS, Mr. Witt has demonstrated his willingness to take on new challenges through his participation in various sports to include bowling, softball, soccer, basketball and speed skating; and

WHEREAS, Mr. Witt has an unwavering commitment to Special Olympics Virginia, having never missed a bowling season since he joined the team in 1993; and

WHEREAS, Mr. Witt was selected to travel to Ireland to represent Special Olympics Virginia and Chesterfield County; and

WHEREAS, Mr. Witt won two gold medals at the Special Olympics games in Ireland for speed skating in the 30-meter straight and 30-meter slalom competitions; and

WHEREAS, Mr. Witt's dedication to and representation of Special Olympics Virginia as well as Chesterfield County is an example to all who know him.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 26th day of May 2004, publicly recognizes Mr. David Witt for his faithful participation in and dedication to Special Olympics and his representation of Special Olympics Virginia and Chesterfield County.

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**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: May 26, 2004

Item Number: 5.C.

Subject:

Resolution Recognizing CJW Medical Center and Robious Sports and Fitness for a Donation of Physical Fitness Equipment to the Department of Fire and Emergency Medical Services

County Administrator's Comments:

County Administrator: _____

A handwritten signature in cursive script, likely belonging to the County Administrator.

Board Action Requested:

The Board of Supervisors is requested to approve a resolution to recognize CJW Medical Center and Robious Sports and Fitness for their donation of physical conditioning equipment.

Summary of Information:

CJW Medical Center and Robious Sports and Fitness graciously donated aerobic and strength conditioning equipment to support the Department's firefighter conditioning program to improve the physical capabilities of our members. This program has resulted in improved firefighter performance and a significant reduction in loss time injuries to our firefighters. CJW Medical Center and Robious Sports and Fitness' contribution is an excellent example of how businesses can participate in promoting improved public safety service for the citizens of Chesterfield County.

Preparer: Steve A. Elswick

Title: Fire Chief

Attachments:



Yes



No

000008

RECOGNIZING CJW MEDICAL CENTER AND ROBIOUS SPORTS AND FITNESS
FOR THEIR GENEROUS DONATION TO IMPROVE
FIREFIGHTER PHYSICAL CONDITIONING

WHEREAS, CJW Medical Center and Robious Sports and Fitness provided a generous donation which was used by the Chesterfield County Department of Fire and Emergency Medical Services toward the improvement of firefighter physical conditioning; and

WHEREAS, the donation will aid in the enhancement of our firefighters' ability to perform their mission through better strength and conditioning; and

WHEREAS, CJW Medical Center and Robious Sports and Fitness have aided and improved fire and emergency medical services through enhanced conditioning of our firefighters; and

WHEREAS, through the cooperative efforts of Mrs. Margaret Lewis and Mr. Ward Hamilton, the spirit of community/private partnerships has provided the department with increased capabilities to improve physical fitness of our firefighters; and

WHEREAS, Chesterfield County greatly appreciates this donation and is looking forward to continuing a strong relationship with CJW Medical Center and Robious Sports and Fitness.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 26th day of May 2004, publicly recognizes CJW Medical Center and Robious Sports and Fitness and expresses appreciation for their generous contribution toward firefighter fitness.

AND, BE IT FURTHER RESOLVED, that a copy of this resolution be presented to CJW Medical Center and Robious Sports and Fitness and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County, Virginia.

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**CHESTERFIELD COUNTY
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Meeting Date: May 26, 2004

Item Number: 5.D.

Subject:

Resolution Recognizing Master Officer Hugh H. "Dickie" Dickerson, III Upon His Retirement

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

The adoption of the attached resolution.

Summary of Information:

Master Police Officer Hugh H. "Dickie" Dickerson will retire from the Police Department after having provided over 31 years of service to the citizens of Chesterfield County.

Preparer: _____ Colonel Carl R. Baker

Title: _____ Chief of Police

Attachments:



Yes



No

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000010

RECOGNIZING MASTER POLICE OFFICER HUGH H. "DICKIE" DICKERSON
UPON HIS RETIREMENT

WHEREAS, Master Police Officer Hugh H. "Dickie" Dickerson will retire from the Chesterfield County Police Department on June 1, 2004, after providing 31 years of quality service to the citizens of Chesterfield County; and

WHEREAS, Officer Dickerson has faithfully served the county in the capacity of Deputy Sheriff, Patrol Officer, Investigator, Senior Police Officer and Master Police Officer; and

WHEREAS, Officer Dickerson has served in specialized units during his tenure with the Police Department that include K-9 Officer for Patrol Division and VICE unit, SWAT team member, and Traffic Accident Reduction Team member; and

WHEREAS, Officer Dickerson received a Certificate of Commendation for distinguished and exceptional performance of duty during the investigation of breaking and entering, larceny, auto larceny and vandalism cases; and because of his patience and devotion to duty, those responsible were apprehended and charged with twenty-one crimes, which resulted in forty-two cases being cleared; and

WHEREAS, Officer Dickerson received the Meritorious Service award for his actions during an attempted suicide in October 1991 when his personal bravery and self sacrifice saved the life of an individual who was very despondent, suicidal and armed with a shotgun; and

WHEREAS, Officer Dickerson received a Certificate of Commendation for his actions on December 18, 2003, when he responded to a residence where an intoxicated and depressed individual became irate and irrational; and during the course of the ordeal, Officer Dickerson had to wrestle two shotguns away from the individual on two separate occasions, being threatened with the shotgun during one of the incidents, while maintaining control of a potentially volatile situation, displaying bravery and bringing it to a safe conclusion; and

WHEREAS, Officer Dickerson has received numerous letters of thanks and appreciation for service rendered from the citizens of Chesterfield County; and

WHEREAS, Officer Dickerson has provided the Chesterfield County Police Department with many years of loyal and dedicated service; and

WHEREAS, Chesterfield County and the Board of Supervisors will miss Officer Dickerson's diligent service.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 26th day of May 2004, publicly recognizes Master Police Officer Hugh H. "Dickie" Dickerson, and extends on behalf of its members and the citizens of Chesterfield County, appreciation for his service to the county, congratulations upon his retirement, and best wishes for a long and happy retirement.

AND, BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Officer Dickerson, and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County.

000011



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: May 26, 2004

Item Number: 5.E.

Subject:

Resolution Recognizing Defense Supply Center Richmond (DSCR) for its Contribution to Chesterfield County by Naming it the Chesterfield County Large Business of the Year for 2004

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

Adoption of the attached resolution.

Summary of Information:

Based upon the Board's establishment of a Business Appreciation and Recognition Award Program, the Board gives three awards annually, one each to Large, Medium, and Small Business of the year. For the first time, there was a tie for this honor between two nominees in the large business category; however, it was felt both organizations were worthy of this recognition. The Award Selection Committee submits DSCR and DuPont Spruance Site for approval as the recipient of Chesterfield County's 2004 Large Business of the Year Award.

DSCR has demonstrated its dedication and commitment as large business of the year to the community of Chesterfield County.

Preparer: James G. Dunn Title: Director, Economic Development

Attachments:



Yes



No

#000012

RECOGNIZING DEFENSE SUPPLY CENTER RICHMOND (DSCR)
AS THE 2004 LARGE BUSINESS OF THE YEAR

WHEREAS, the Chesterfield County Board of Supervisors established a Business Appreciation and Recognition Award to recognize existing businesses within the county that contribute to the county's economy and its citizens; and

WHEREAS, Defense Supply Center Richmond (DSCR) occupies over 600 acres along the I-95 corridor in southern Chesterfield County and employs approximately 3,000 employees; and

WHEREAS, DSCR has been a consistent, dependable supplier of quality goods and services to those defending the nation around the world since it was activated in 1942; and

WHEREAS, in 1996, DSCR was designated as the lead center for aviation consumable support within the Department of Defense, and the primary source of supply for nearly 850,000 repair parts with direct application to aviation; and

WHEREAS, the center receives about 8,000 demands a day, or about a quarter of a million demands a month from all corners of the world; and

WHEREAS, the installation is the recipient of numerous citations and certificates for its community service; and

WHEREAS, DSCR supports Virginia Blood Services and participates in one of the largest school partnerships in the Richmond metropolitan area, and its employees volunteer in a variety of school programs and donated a record \$262,000 to the Combined Federal Campaign in 2003.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 26th day of May 2004, publicly recognizes Defense Supply Center Richmond and expresses appreciation, on behalf of the county, for its many contributions by recognizing it as the 2004 Large Business recipient of the Chesterfield County Business Appreciation and Recognition Award.

AND, BE IT FURTHER RESOLVED, that a copy of this resolution be presented to DSCR and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County, Virginia.

000013



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: May 26, 2004

Item Number: 5.F.

Subject:

Resolution Recognizing the DuPont Spruance Site for its Contribution to Chesterfield County by Naming it the Chesterfield County Large Business of the Year for 2004

County Administrator's Comments:

County Administrator: _____

A handwritten signature in black ink, appearing to be "JER", is written over the line for the County Administrator's name.

Board Action Requested:

Adoption of the attached resolution.

Summary of Information:

Based upon the Board's establishment of a Business Appreciation and Recognition Award Program, the Board gives three awards annually, one each to Large, Medium, and Small Business of the year. For the first time, there was a tie for this honor between two nominees in the large business category; however, it was felt both organizations were worthy of this recognition.

The Award Selection Committee submits the DuPont Spruance Site for approval as the recipient of Chesterfield County's 2004 Large Business of the Year Award. DuPont has demonstrated its dedication and commitment as large business of the year to the community of Chesterfield County.

Preparer: James G. Dunn Title: Director, Economic Development

Attachments:



Yes



No

000014

RECOGNIZING DUPONT SPRUANCE
AS THE 2004 LARGE BUSINESS OF THE YEAR

WHEREAS, the Chesterfield County Board of Supervisors established a Business Appreciation and Recognition Award to recognize existing businesses within the county that contribute to the county's economy and its citizens; and

WHEREAS, DuPont Spruance was built on a 500-acre parcel in 1929, and today employs 2,600 employees; and

WHEREAS, DuPont recently celebrated its 200th birthday; and

WHEREAS, the Spruance plant belongs to the worldwide family of plants that manufactures and produces products from chemicals for every possible use imaginable; and

WHEREAS, during the past ten years, DuPont has spent over \$550 million to expand and modernize the Spruance business assets; and

WHEREAS, in May 2001, DuPont announced a \$50 million capital investment to increase production of Kevlar® fiber at the Spruance site; and

WHEREAS, DuPont sponsors many community causes and encourages its employees to volunteer in community activities; and

WHEREAS, DuPont Spruance employees volunteer in a wide variety of civic groups, athletic teams, rescue squads and volunteer fire departments.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 26th day of May 2004, publicly recognizes Dupont Spruance and expresses appreciation, on behalf of the county, for its many contributions by recognizing it as the 2004 Large Business recipient of the Chesterfield County Business Appreciation and Recognition Award.

AND, BE IT FURTHER RESOLVED, that a copy of this resolution be presented to DuPont Spruance and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County, Virginia.



**CHESTERFIELD COUNTY
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Meeting Date: May 26, 2004

Item Number: 5.G.

Subject:

Resolution Recognizing City Ice for its Contribution to Chesterfield County by Naming it the Chesterfield County Small Business of the Year for 2004

County Administrator's Comments:

County Administrator: _____ 

Board Action Requested:

Adoption of the attached resolution.

Summary of Information:

Based upon the Board's establishment of a Business Appreciation and Recognition Award Program, the Board gives three awards annually, one each to Large, Medium, and Small Business of the year.

The Award Selection Committee submits City Ice for approval as the recipient of Chesterfield County's 2004 Small Business of the Year Award. City Ice has demonstrated its dedication and commitment as small business of the year to the community of Chesterfield County.

Preparer: James G. Dunn

Title: Director, Economic Development

Attachments:



Yes



No

000016

RECOGNIZING CITY ICE AS THE 2004 SMALL BUSINESS OF THE YEAR

WHEREAS, the Chesterfield County Board of Supervisors established a Business Appreciation and Recognition Award to recognize existing businesses within the county that contribute to the county's economy and its citizens; and

WHEREAS, City Ice, which is located at 13600 Permilla Springs Drive in Chester, employs 19 full-time employees; and

WHEREAS, the small, independent company produces tube ice, which is round with a hole in the center, and was the first to manufacture round ice in this area, establishing the "Ice Rounds" brand; and

WHEREAS, in 1999, the company was the first in the industry to design an eight-color process print package with a handle, a pull strip to remove the handle, a zip-lock closure, and a heat-sealed bottom; and

WHEREAS, City Ice has enjoyed double-digit growth in a very competitive industry; and

WHEREAS, during Hurricane Isabel, City Ice staff worked 14 to 18-hour days to serve the community and the Federal Emergency Management Agency; and Mark Resnick and the employees of City Ice provided the Emergency Operations Center with over 40 tons of ice for distribution to the citizens of Chesterfield County.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 26th day of May 2004, publicly recognizes City Ice and expresses appreciation, on behalf of the county, for its many contributions by recognizing it as the 2004 Small Business recipient of the Chesterfield County Business Appreciation and Recognition Award.

AND, BE IT FURTHER RESOLVED, that a copy of this resolution be presented to City Ice and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County, Virginia.



**CHESTERFIELD COUNTY
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Meeting Date: May 26, 2004

Item Number: 5.H.

Subject:

Resolution Recognizing May 22-28, 2004, as "Safe Boating Week" in Chesterfield County

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

Mr. Miller requested that the following resolution be adopted.

Summary of Information:

This resolution recognizes "Safe Boating Week" in Chesterfield County, and urges all citizens to "Boat Smart, Boat Safe, Wear It" and practice safe boating habits. Mr. Kemp Davis, Communication Services Staff Officer for Division 3 and Vice Flotilla Commander and Communications Services Staff Officer for Flotilla 38 and Mr. Don Thomas, Flotilla Commander for Flotilla 38 will be in attendance to receive the resolution.

Preparer: Lisa Elko

Title: Clerk to the Board

Attachments:



Yes



No

#000018

RECOGNIZING MAY 22-28, 2004, AS "SAFE BOATING WEEK"
IN CHESTERFIELD COUNTY

WHEREAS, recreational boating is fun and enjoyable, and we are fortunate to have resources to accommodate a wide variety of pleasure boating demands; and

WHEREAS, our waterways can become crowded at times, and although boating is a marvelous source of recreation, to the unprepared, it can be a risky sport; and

WHEREAS, on average, 700 people die each year in boating-related accidents in the United States and nearly 70 percent of these are fatalities caused by drowning; and

WHEREAS, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors; and

WHEREAS, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and

WHEREAS, modern life jackets are more comfortable, more attractive, and more wearable than styles of years past and deserve a fresh look by today's boating public.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 26th day of May 2004, publicly recognizes May 22-28, 2004, as "Safe Boating Week" in Chesterfield County, urges all citizens to "Boat Smart, Boat Safe, Wear It" and practice safe boating habits, and encourages boaters to have their vessels examined for safety by the United States Coast Guard Auxiliary, free of charge, during Vessel Safety Megaweeks - May 22 - July 4, 2004.



**CHESTERFIELD COUNTY
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Meeting Date: May 26, 2004

Item Number: 8.A.1.a.

Subject:

Resolution Recognizing Mr. Richard R. Johnson, County Administrator for Hanover County, Upon His Retirement

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

Mr. Lane Ramsey requested that the following resolution be adopted.

Summary of Information:

This resolution recognizes Mr. Richard R. Johnson for his commitment, dedication and outstanding public service, which has contributed significantly to the outstanding quality of life offered in the region.

Preparer: _____ Donald J. Kappel

Title: Director, Public Affairs

Attachments:



Yes



No

000020

RECOGNIZING MR. RICHARD R. JOHNSON UPON HIS RETIREMENT

WHEREAS, Mr. Richard R. Johnson is a native of Suffolk, Virginia; and

WHEREAS, Mr. Johnson earned a Bachelor's degree in History and Political Science from Frederick College; and

WHEREAS, Mr. Johnson was a teacher at Churchland High School in Portsmouth, Virginia; and

WHEREAS, Mr. Johnson then became Director of Finance for the City of Suffolk, Virginia and served in that capacity from 1973-1980; and

WHEREAS, Mr. Johnson relocated with his family and became Director of Finance for Hanover County, Virginia from 1981-1987; and

WHEREAS, from 1987-1998 Mr. Johnson was Deputy County Administrator for the County of Hanover; and

WHEREAS, Mr. Johnson served as Acting County Administrator for Hanover County from 1990-1991 and from February-June 1998; and

WHEREAS, Mr. Johnson has been County Administrator of Hanover County, Virginia from June 1998 until the present; and

WHEREAS, Mr. Johnson has loaned his talents to many commissions and committees over the years, including the Middle Peninsula Juvenile Detention Commission; the Pamunkey Regional Jail Authority; the Hanover County Finance Committee; the Richmond Regional Planning District Commission; the Hanover/Ashland Liaison Committee; the Virginia Juvenile Justice and Delinquency Prevention Advisory Committee; the State Emergency Medical Services Advisory Board; the Greater Richmond Convention Center Authority and the Greater Richmond Partnership; and

WHEREAS, in several of these organizations, Mr. Johnson assumed leadership roles, such as serving as Chairman of the Greater Richmond Convention Center Authority; Chairman of the Pamunkey Regional Jail Authority and serving on the Board of Directors of the Greater Richmond Partnership; and

WHEREAS, throughout a distinguished career of public service, Mr. Johnson has served the people of Hanover County and the people of the Greater Metropolitan Richmond Area honorably, ably and with wisdom.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors hereby expresses its best wishes to Mr. Richard R. Johnson on the occasion of his retirement, and on behalf of all citizens of Chesterfield County, thanks him for his commitment, dedication and outstanding public service, which have contributed significantly to the outstanding quality of life offered in the region; and wishes him a long and happy retirement where he may enjoy more time with his wife, Debbie and children, Thomas and Elizabeth.

000021



**CHESTERFIELD COUNTY
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Meeting Date: May 26, 2004

Item Number: 8.A.1.b.

Subject:

Recognizing Captain Michael C. Brigati Upon His Retirement, After Serving the County for Nearly 25 Years with Dedicated Service to the County

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

Adoption of resolution

Summary of Information:

Staff would like the Board of Supervisors to recognize Captain Michael C. Brigati for serving nearly 25 years to the citizens of Chesterfield County.

Preparer: Frank H. Edwards

Title: 2nd Deputy Chief

Attachments:



Yes



No

000022

RECOGNIZING CAPTAIN MICHAEL C. BRIGATI UPON HIS RETIREMENT

WHEREAS, Captain Michael C. Brigati will retire from the Chesterfield County Fire and Emergency Medical Services Department on May 31, 2004; and

WHEREAS, Captain Brigati attended Recruit School #12 in 1981 and has faithfully served the county for nearly twenty-five years in various assignments as a Firefighter at the Bon Air Fire and Dutch Gap Fire Stations; as a Sergeant at the Clover Hill and Ettrick Fire Stations; as a Lieutenant at the Ettrick and Dutch Gap Fire Stations; and as a Captain in numerous staff assignments in both the Training and Safety Division and the Emergency Operations Division; and

WHEREAS, Captain Brigati helped prepare the organization to develop its future leaders through his work to revise the Officer Development Program Level I, for firefighters who aspire to be lieutenants; and

WHEREAS, Captain Brigati was a driving force behind the development of the Officer Development Level II Program for officers who aspire to captain and chief officer positions in the organization, a program that further enhanced the organization's ability to develop future leaders; and

WHEREAS, Captain Brigati was a key figure in the development of the first Joint Metro Officers School involving Chesterfield and Henrico counties and the City of Richmond Fire Departments, a venture that was the genesis for Chesterfield Fire and Emergency Medical Services' own annual First-line Supervisors School; and

WHEREAS, Captain Brigati was a key figure in the creation of the Critical Incident Stress Management Team, a joint venture between Chesterfield Fire and Emergency Medical Services and the county's Mental Health Department dedicated to helping fire and EMS personnel manage the psychological stresses associated with the delivery of emergency services; and

WHEREAS, Captain Brigati was a member of the SCUBA Rescue Team and served with that specialty team for twenty-two years; and

WHEREAS, Captain Brigati was recognized in the course of his career with two EMS Life Save awards, and participated in fire ground operations at the former Park Lee Apartments on April 12, 1997 that saved the lives of several young people, resulting in a Unit Citation.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors recognizes the contributions of Captain Michael C. Brigati, expresses the appreciation of all residents for his service to the county, and extends appreciation for his dedicated service and congratulations upon his retirement.

000023



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.1.c.

Subject:

Recognizing Ms. Tammara Kendra Gore, Ms. Cristen Elizabeth Groseclose, Ms. Bethany Laura Trim, Ms. Rebecca Lyn Parker and Ms. Sindhu Jujjavarapu Upon Attaining the Gold Award

County Administrator's Comments:

County Administrator: _____

A handwritten signature in black ink, appearing to be "MR", is written over the line for the County Administrator.

Board Action Requested:

Adoption of attached resolutions.

Summary of Information:

Staff has received a request for the Board to adopt resolutions recognizing Ms. Tammara Kendra Gore, Ms. Cristen Elizabeth Groseclose, Ms. Bethany Laura Trim, Ms. Rebecca Lyn Parker and Ms. Sindhu Jujjavarapu, Troop 927, upon attaining the Gold Award.

Preparer: _____ Lisa Elko

Title: _____ Clerk to the Board

Attachments:



Yes



No

#000024

RECOGNIZING MISS TAMMARA KENDRA GORE
UPON ATTAINING THE GOLD AWARD

WHEREAS, the Girl Scouts of the United States of America is an organization serving over 2.6 million girls and was founded to promote citizenship training and personal development; and

WHEREAS, after earning four interest project patches, the Career Exploration Pin, the Senior Girl Scout Leadership Award, the Senior Girl Scout Challenge, and designing and implementing a Girl Scout Gold Award project; and

WHEREAS, the Gold Award is the highest achievement award in Girl Scouting and symbolizes outstanding accomplishments in the areas of leadership, community service, career planning, and personal development; and

WHEREAS, the Girl Scout Award can only be earned by girls aged 14-17 or in grades 9-12 and is received by less than six percent of those individuals entering the Girl Scouting movement; and

WHEREAS, Miss Tammara Kendra Gore, Troop 927, sponsored by Grace Lutheran Church, has accomplished these high standards and has been honored with the Girl Scouts of America Gold Award by the Commonwealth Girl Scout Council of Virginia; and

WHEREAS, growing through her experiences in Girl Scouting, learning the lessons of responsible citizenship, and priding herself on the great accomplishments of her country, Tammara is indeed a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors recognizes Miss Tammara Kendra Gore, extends congratulations on her attainment of the Gold Award and acknowledges the good fortune of the county to have such an outstanding young woman as one of its citizens.

000025

RECOGNIZING MISS CRISTEN ELIZABETH GROSECLOSE
UPON ATTAINING THE GOLD AWARD

WHEREAS, the Girl Scouts of the United States of America is an organization serving over 2.6 million girls and was founded to promote citizenship training and personal development; and

WHEREAS, after earning four interest project patches, the Career Exploration Pin, the Senior Girl Scout Leadership Award, the Senior Girl Scout Challenge, and designing and implementing a Girl Scout Gold Award project; and

WHEREAS, the Gold Award is the highest achievement award in Girl Scouting and symbolizes outstanding accomplishments in the areas of leadership, community service, career planning, and personal development; and

WHEREAS, the Girl Scout Award can only be earned by girls aged 14-17 or in grades 9-12 and is received by less than six percent of those individuals entering the Girl Scouting movement; and

WHEREAS, Miss Cristen Elizabeth Groseclose, Troop 927, sponsored by Grace Lutheran Church, has accomplished these high standards and has been honored with the Girl Scouts of America Gold Award by the Commonwealth Girl Scout Council of Virginia; and

WHEREAS, growing through her experiences in Girl Scouting, learning the lessons of responsible citizenship, and priding herself on the great accomplishments of her country, Cristen is indeed a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors recognizes Miss Cristen Elizabeth Groseclose, extends congratulations on her attainment of the Gold Award and acknowledges the good fortune of the county to have such an outstanding young woman as one of its citizens.

RECOGNIZING MISS BETHANY LAURA TRIM
UPON ATTAINING THE GOLD AWARD

WHEREAS, the Girl Scouts of the United States of America is an organization serving over 2.6 million girls and was founded to promote citizenship training and personal development; and

WHEREAS, after earning four interest project patches, the Career Exploration Pin, the Senior Girl Scout Leadership Award, the Senior Girl Scout Challenge, and designing and implementing a Girl Scout Gold Award project; and

WHEREAS, the Gold Award is the highest achievement award in Girl Scouting and symbolizes outstanding accomplishments in the areas of leadership, community service, career planning, and personal development; and

WHEREAS, the Girl Scout Award can only be earned by girls aged 14-17 or in grades 9-12 and is received by less than six percent of those individuals entering the Girl Scouting movement; and

WHEREAS, Miss Bethany Laura Trim, Troop 927, sponsored by Grace Lutheran Church, has accomplished these high standards and has been honored with the Girl Scouts of America Gold Award by the Commonwealth Girl Scout Council of Virginia; and

WHEREAS, growing through her experiences in Girl Scouting, learning the lessons of responsible citizenship, and priding herself on the great accomplishments of her country, Bethany is indeed a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors recognizes Miss Bethany Laura Trim, extends congratulations on her attainment of the Gold Award and acknowledges the good fortune of the county to have such an outstanding young woman as one of its citizens.

000027

RECOGNIZING MISS REBECCA LYN PARKER
UPON ATTAINING THE GOLD AWARD

WHEREAS, the Girl Scouts of the United States of America is an organization serving over 2.6 million girls and was founded to promote citizenship training and personal development; and

WHEREAS, after earning four interest project patches, the Career Exploration Pin, the Senior Girl Scout Leadership Award, the Senior Girl Scout Challenge, and designing and implementing a Girl Scout Gold Award project; and

WHEREAS, the Gold Award is the highest achievement award in Girl Scouting and symbolizes outstanding accomplishments in the areas of leadership, community service, career planning, and personal development; and

WHEREAS, the Girl Scout Award can only be earned by girls aged 14-17 or in grades 9-12 and is received by less than six percent of those individuals entering the Girl Scouting movement; and

WHEREAS, Miss Rebecca Lyn Parker, Troop 927, sponsored by Grace Lutheran Church, has accomplished these high standards and has been honored with the Girl Scouts of America Gold Award by the Commonwealth Girl Scout Council of Virginia; and

WHEREAS, growing through her experiences in Girl Scouting, learning the lessons of responsible citizenship, and priding herself on the great accomplishments of her country, Rebecca is indeed a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors recognizes Miss Rebecca Lyn Parker, extends congratulations on her attainment of the Gold Award and acknowledges the good fortune of the county to have such an outstanding young woman as one of its citizens.

000028

RECOGNIZING MISS SINDHU JUJJAVARAPU
UPON ATTAINING THE GOLD AWARD

WHEREAS, the Girl Scouts of the United States of America is an organization serving over 2.6 million girls and was founded to promote citizenship training and personal development; and

WHEREAS, after earning four interest project patches, the Career Exploration Pin, the Senior Girl Scout Leadership Award, the Senior Girl Scout Challenge, and designing and implementing a Girl Scout Gold Award project; and

WHEREAS, the Gold Award is the highest achievement award in Girl Scouting and symbolizes outstanding accomplishments in the areas of leadership, community service, career planning, and personal development; and

WHEREAS, the Girl Scout Award can only be earned by girls aged 14-17 or in grades 9-12 and is received by less than six percent of those individuals entering the Girl Scouting movement; and

WHEREAS, Miss Sindhu Jujjavarapu, Troop 927, sponsored by Grace Lutheran Church, has accomplished these high standards and has been honored with the Girl Scouts of America Gold Award by the Commonwealth Girl Scout Council of Virginia; and

WHEREAS, growing through her experiences in Girl Scouting, learning the lessons of responsible citizenship, and priding herself on the great accomplishments of her country, Sindhu is indeed a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors recognizes Miss Sindhu Jujjavarapu, extends congratulations on her attainment of the Gold Award and acknowledges the good fortune of the county to have such an outstanding young woman as one of its citizens.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.1.d.

Subject:

Resolution Recognizing The Tim Reid Scholarship Foundation

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

Mr. Miller requested that the following resolution be adopted.

Summary of Information:

This resolution recognizes Tim and Daphne Reid for their exemplary achievements for creating a foundation to assist at-risk youths to obtain a valuable college education.

Preparer: Donald J. Kappel

Title: Director, Public Affairs

Attachments:



Yes



No

#000030

RECOGNIZING THE TIM REID SCHOLARSHIP FOUNDATION

WHEREAS, Chesterfield County is committed to providing the youths of our community with every opportunity to succeed; and

WHEREAS, it is well recognized that there are some young people in our communities whose families are economically challenged; and

WHEREAS, in 1997, Tim and Daphne Reid, actors and owners of New Millennium Studios, formed the Tim Reid Scholarship Foundation; and

WHEREAS, this foundation was dedicated to creating "Universal understanding through education;" and

WHEREAS, in 2004, the foundation expanded to become the Virginia Scholarship and Youth Development Foundation; and

WHEREAS, the mission of the Virginia Scholarship and Youth Development Foundation is still to provide scholarships to underprivileged youths; and

WHEREAS, students at Chesterfield's own Virginia State University have benefited from scholarships provided through the foundation; and

WHEREAS, the foundation also reaches out to our young people at an even earlier age to provide developmental assistance, including mentorship and other important guidance tools; and

WHEREAS, these efforts are geared toward creating brighter futures for these young people; and

WHEREAS, an important component of the foundation's efforts is the annual Celebrity Weekend event, held this year May 13-15, which attracts more than 8,000 people annually and features many well known performers and other celebrities at an exciting weekend of golf, tennis, VIP receptions, youth festivals, celebrity galas and auctions, all to raise scholarship funds for deserving youths.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors hereby extends its congratulations and best wishes to Tim and Daphne Reid on the exemplary achievements of this worthwhile program, thanks them for their dedication to the betterment of our young peoples' futures, and wishes them continued success in these worthwhile and generous ventures.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.1.e.

Subject:

Resolution Recognizing Ms. Joyce Boyd, Mental Health/Mental Retardation/
Substance Abuse Department Upon Her Retirement

County Administrator's Comments:

County Administrator:

A handwritten signature, likely of the County Administrator, is written over a horizontal line.

Board Action Requested:

The Board is requested to adopt a Resolution recognizing Ms. Joyce Boyd on the occasion of her retirement following 17 years of service as a dedicated public mental health administrative professional.

Summary of Information: (See attached)

Preparer: George E. Braunstein

Title: Executive Director
MH/MR/SA Department

Attachments:



Yes



No

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000032

RECOGNIZING MS. JOYCE BOYD UPON HER RETIREMENT

WHEREAS, Ms. Joyce Boyd will retire on June 1, 2004 after seventeen years of dedicated and faithful service to Chesterfield; and

WHEREAS, Ms. Boyd began her career with the Chesterfield County Department of Mental Health, Mental Retardation, and Substance Abuse in June 1987 as a part time Word Processing Specialist and began full time in 1989; and

WHEREAS, Ms. Boyd served as Senior Office Assistant in the reception pods and other support positions and was the trainer for temporary administrative employees; and

WHEREAS, Ms. Boyd served on in-house committees such as the Health and Safety Committee and represented her department for many years as representative to the Chesterfield Employee Association; and

WHEREAS, Ms. Boyd used her administrative skills to the best of her ability to meet the needs of consumers and staff; and

WHEREAS, Ms. Boyd always displayed an enthusiastic, positive, caring attitude, and a willingness to accept new projects and responsibilities; and

WHEREAS, Ms. Boyd will be sorely missed for her ever-present smile and commitment to providing quality customer service to her co-workers and Chesterfield's citizens.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors recognizes the contributions of Ms. Joyce Boyd, extends its appreciation for her seventeen years of dedicated service to the county, and offers congratulations and best wishes for a long and happy retirement.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.1.f.

Subject:

Resolution Recognizing Captain D's Restaurant on its New Location in Chesterfield County

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

Mr. Warren requested that the following resolution be adopted.

Summary of Information:

This resolution recognizes Captain D's Seafood Restaurant on the occasion of their newest opening. This business is locating at Turner Road/Midlothian Turnpike.

Preparer: Donald J. Kappel

Title: Director, Public Affairs

Attachments:



Yes



No

000034

RECOGNIZING CAPTAIN D'S SEAFOOD RESTAURANT ON
ITS NEW LOCATION IN CHESTERFIELD COUNTY

WHEREAS, Chesterfield County is committed to being the first choice business community; and

WHEREAS, Chesterfield County recognizes that businesses provide Chesterfield County residents and visitors to the county with services they need and want; and

WHEREAS, businesses also provide Chesterfield County residents with employment opportunities; and

WHEREAS, Captain D's Seafood Restaurants have been operating successfully in several places throughout Chesterfield County for several years; and

WHEREAS, a new Captain D's restaurant is opening on Turner Road and Midlothian Turnpike; and

WHEREAS, this family-oriented restaurant will be opening at a site at which an adult video store had previously been attempting to open; and

WHEREAS, Captain D's is a business that is much better suited to this location, and is a business that the county welcomes and that our residents will patronize and enjoy; and

WHEREAS, the establishment of this business demonstrates that adhering to principles of proper planning can result in enhanced quality of life for our residents; and

WHEREAS, Chesterfield County wishes Captain D's much success at this latest Chesterfield County location.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors hereby congratulates Captain D's Seafood Restaurant on the opening of its newest Chesterfield County restaurant, welcomes the business to the Turner Road/Midlothian Turnpike location on behalf of Chesterfield County residents, and extends all best wishes to the restaurant's owners and operators for many years of success.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

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Meeting Date: May 26, 2004

Item Number: 8.A.2.a.

Subject:

Appropriation of State Reimbursement for Drainage Improvements at Greenfield Elementary School Soccer Complex

County Administrator's Comments:

Recommend Approval

County Administrator: _____

KBR

Board Action Requested:

The Board of Supervisors is requested to appropriate \$150,000 in state reimbursement that will be used to install a drainage system and associated sitework at Greenfield Elementary School Soccer Complex.

Summary of Information:

During the construction of Robious Road widening, the Virginia Department of Transportation (VDOT) installed the westbound lanes at an elevation that has blocked drainage from the soccer fields located at Greenfield Elementary School, resulting in ponded water at the edge of the soccer field. The Parks and Recreation Department has been asked by VDOT to direct the design and construction effort to correct this problem. All costs associated with this project will be reimbursed by VDOT. The engineering design process has begun for this work.

Preparer: Mike Golden

Title: Director of Parks and Recreation

Attachments:

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Yes

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No

#000036



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Meeting Date: May 26, 2004

Budget and Management Comments:

This request is for appropriation of \$150,000 in anticipated state reimbursement for the design and installation of drainage improvements at the Greenfield Elementary School Soccer Complex. The project is currently in the design process and it is anticipated that the site improvements will be completed in the fall of 2004.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000037



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: May 26, 2004

Item Number: 8.A.2.b.

Subject:

Appropriate \$468,300 in Building Inspection Revenue to Cover Additional Building Inspection Expenses

County Administrator's Comments:

Recommend Approval

County Administrator: _____

[Signature]

Board Action Requested:

Staff requests that the Board authorize the appropriation of \$468,300 in Building Inspection revenue to cover additional expenses in the Building Inspection Department.

Summary of Information:

FY2004 has been a record year for the Building Inspection Department. The Department estimates that by June 30, 2004, it will have completed a total of 2,577 residential single-family dwellings, compared with last year's total of 2,339. Inspection volume is expected to exceed 110,000 inspections this fiscal year.

The increase in the number of inspections conducted by staff has generated the additional revenue necessary for the Department to offset related personnel expense increases and workman's compensation claims. The Department requests that the Board authorize the appropriation of \$468,300 to cover these expenses.

Preparer: W. D. Dupler

Title: Director of Building Inspections

Attachments:

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Yes

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No

000038



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Page 2 of 2

Meeting Date: May 26, 2004

Budget and Management Comments:

This item requests that the Board authorize the appropriation of \$468,300 in Building Inspection revenue to cover additional expenses. Of the \$468,300, \$290,000 is needed to cover projected personnel costs and \$178,000 is needed for expected workman's compensation claims.

Preparer: Rebecca T. Dickson

Title: Director, Budget & Management

000039



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: May 26, 2004

Item Number: 8.A.2.c.

Subject:

Appropriate \$81,100 in Revenue for the Department of Health to Cover Additional Expenses

County Administrator's Comments:

Recommend Approval

County Administrator: _____

YBR

Board Action Requested:

Staff requests that the Board authorize the appropriation of \$81,100 in revenue to cover additional expenses in the Health Department.

Summary of Information:

During FY2003, the Health Department realized significant savings in their state budget by holding spending to a minimum and keeping state vacancies open for longer periods. Consequently, the state reimbursed the County for its co-operative share of the savings. Additionally in FY2004, the Health Department received a refund for an overpayment in FY2003 for the School Health Nurse Program. The Health Department requests that the Board authorize the appropriation of \$81,100 from the refunds to cover increases in personnel expenses in FY2004 associated with a change in grade structure for County school health nurses, the County's share of state salary increases, and increases in related benefit costs.

Preparer: Bradford S. Hammer

Title: Deputy County Administrator for Human Services

Attachments:

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Yes

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No

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000040



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Meeting Date: May 26, 2004

Budget and Management Comments:

This item requests that the Board appropriate \$81,100 in refund dollars received by the Health Department from the state in order to cover increased personnel expenses brought about by increases in County school health nurse salaries associated with automatic grade reclassifications. The increased appropriation will also cover the County's share of state salary increases and related increases in benefits.

Preparer: Rebecca T. Dickson

Title: Director, Budget & Management

000041



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: May 26, 2004

Item Number: 8.A.2.d.

Subject:

Appropriation of \$144,428 in Information Systems Technology Revenue to Cover the Cost of Upgrading the County's Telephone System

County Administrator's Comments:

Recommend Approval

County Administrator: _____

JBR

Board Action Requested:

Appropriate \$144,428 in Information Systems Technology revenue to cover the cost of Upgrading the County's Telephone System.

Summary of Information:

The County recently installed an upgrade to the telephone system. This upgrade was not budgeted for FY2004 but became necessary when learning that the vendor was discontinuing maintenance on the old system. This purchase will position the County to eventually connect telephone systems in offices not located in the 5-story building campus area via LAN technology. This purchase will also reduce annual maintenance costs beginning in FY2005 estimated to be about \$8,400 and will be covered by appropriating excess revenues that departments have paid the Information Systems Technology (IST) Department for IST services.

Preparer: F. O. Parks

Title: Director, Information Systems Technology

Attachments:

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Yes

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No

000042



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Meeting Date: May 26, 2004

Budget and Management Comments:

This request is to appropriate \$144,428 in Information Systems Technology (IST) revenue to cover the cost of upgrading the County's telephone system, which will ultimately benefit all departments. The revenue generated above the adopted budget is a result of additional billings to County departments for IST services and is available to appropriate for this telephone system upgrade.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000043



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Page 1 of 2

Meeting Date: May 26, 2004

Item Number: 8.A.2.e.

Subject:

Appropriation of \$79,200 in State Wireless 911 Services Board Funds

County Administrator's Comments: *Recommend Approval*

County Administrator: *JBR*

Board Action Requested:

Appropriate \$79,200 in state wireless 911 funds to address equipment needs related to the county's automated 911 system.

Summary of Information:

The Emergency Communications Center receives funding from the Virginia Wireless E911 Services Board annually for taking wireless 911 calls locally. The county receives these funds on a quarterly basis. At the end of the fiscal year, the county must demonstrate that the state funds were spent on wireless 911 related items. The Wireless Board reimburses localities if the locality spends more than the original allocation. This is the case for Chesterfield. The state Wireless Board in December 2003 reimbursed Chesterfield and as a result, the county currently has excess revenues over the amount originally budgeted which should be appropriated.

Using the \$79,200, the Emergency Communications Center has been able to address several equipment needs related to the Center's automated 911 systems.

Preparer: Barbara Mayfield

Title: Director

Attachments:



Yes



No

000044



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Meeting Date: May 26, 2004

Budget and Management Comments:

The Emergency Communications Center is requesting the appropriation of \$79,200 in Virginia Wireless E911 Services Board funds. These funds were received in December 2003 and have resulted in excess revenues over appropriations. These funds are available and should be appropriated; to be spent on equipment needs related to the county's automated 911 system.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000045



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: May 26, 2004

Item Number: 8.A.2.f.

Subject:

Appropriation of \$23,691 in State Compensation Board Funds

County Administrator's Comments: *Recommend Approval*

County Administrator: *LBK*

Board Action Requested:

Appropriate \$23,691 in State Compensation Board Funds to address equipment needs in the Commonwealth Attorney's office.

Summary of Information:

The Commonwealth Attorney receives reimbursements from the State Compensation Board for a portion of their salaries, fringe benefits and office expenses on a monthly basis. Contingent on availability of state funds, on a yearly basis, the office can also request supplemental funds from the Compensation Board to address needs not originally included in their budget. This year the Commonwealth Attorney submitted a request to fund the purchase of new computers for its support staff. The Compensation Board granted and awarded \$23,691 in April 2004. These funds, along with the balance from asset forfeiture funds, will enable the department to purchase 17 computers and a printer. This equipment will be used to enhance and improve services provided to the attorneys and Chesterfield citizens. As a result, the Board is requested to appropriate this excess revenue.

Preparer: Billy Davenport

Title: Commonwealth Attorney

Attachments:



Yes



No

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000046



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Meeting Date: May 26, 2004

Budget and Management Comments:

The Commonwealth Attorney is requesting the appropriation of \$23,691 in Virginia Compensation Board funds. These funds were awarded in April 2004 and have resulted in excess revenues. These funds are available and should be appropriated; to be spent on equipment needs in the Commonwealth Attorney's office.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000047



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: May 26, 2004

Item Number: 8.A.2.g.

Subject:

Appropriation of Funds, Authorization to Enter into Agreements and Authorization to Award Construction Contract for Nash Road at Beach Road Right Turn Lane Improvement

County Administrator's Comments:

Recommend Approval

County Administrator: _____

LBR

Board Action Requested: The Board is requested to appropriate \$59,519 in cash proffers from Traffic Shed 17 for the construction of a right turn lane on Nash Road at Beach Road, and authorize the County Administrator to enter into the necessary VDOT/county/consultant/contractor, design, right-of-way acquisition and/or construction agreements, acceptable to the County Attorney, for the project. The Board is also requested to authorize the County Administrator to award a construction contract up to \$57,000, to the lowest responsible bidder.

Summary of Information: Traffic delays are occurring at Nash Road/Beach Road intersection. Construction of a right turn lane on Nash Road will help traffic turning onto Beach Road. The preliminary cost estimate for the project is \$59,519.

Preparer: R.J.McCracken

Title: Director of Transportation
agen567

Attachments:



Yes



No

000048

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Recommendation: Staff recommends the Board:

1. Appropriate \$59,519 in cash proffers from Traffic Shed 17 for construction of a right turn lane on Nash Road at Beach Road.
2. Authorize the County Administrator to enter into the necessary VDOT/county/consultant/contractor, design, right-of-way acquisition and/or construction agreements, acceptable to the County Attorney, for the project.
3. Authorize the County Administrator to award a construction contract, up to \$57,000 to the lowest responsible bidder.

District: Dale

000049



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: May 26, 2004

Budget and Management Comments:

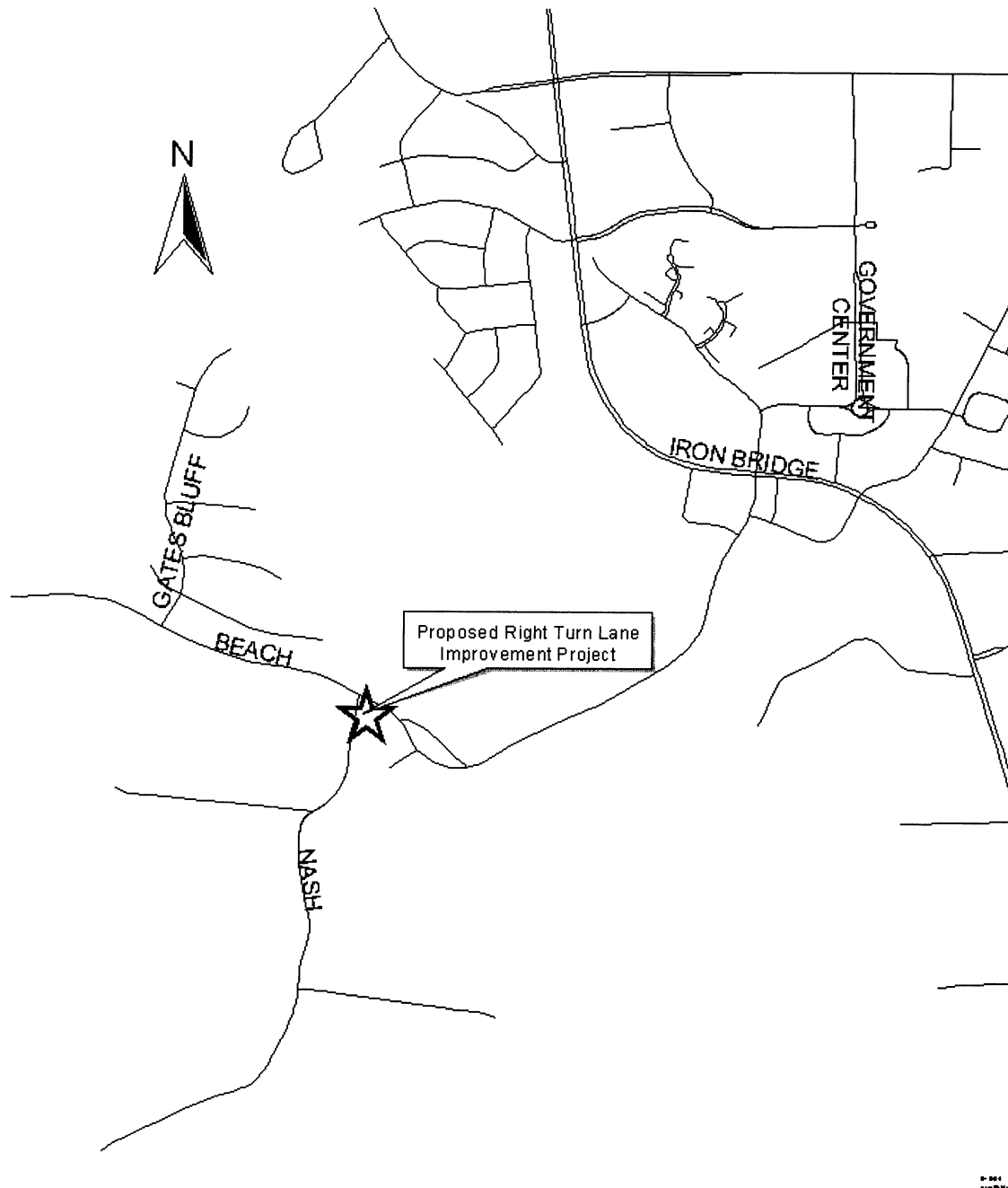
This request is to appropriate \$59,519 in cash proffers from traffic shed 17 for the construction of a right turn lane on Nash Road at Beach Road and to award a contract for up to \$57,000 to the lowest responsible bidder. Cash proffers in the amount of \$59,519 are available in traffic shed 17 to appropriate for this project.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000050

Nash Road at Beach Road Right Turn Lane Improvement Project



000051

Nash Road at Beach Road
Right Turn Lane Improvement

Project Budget

Preliminary Engineering and Environmental Studies	\$2,519
Right-of-way and Utility Relocations	\$0
Construction	\$51,000
Construction Contingency	\$6,000
Construction Administration and Inspection	\$0
TOTAL	\$59,519



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Page 1 of 2

Meeting Date: May 26, 2004

Item Number: 8.A.2.h.

Subject:

Appropriation of up to \$100,000 in Excess FY2004 Planning Department Fee Revenue

County Administrator's Comments:

Recommend Approval

County Administrator:

A handwritten signature, likely of the County Administrator, is written over a horizontal line.

Board Action Requested:

Appropriate up to \$100,000 in excess Planning Department fee revenue to offset Planning Department expenses.

Summary of Information:

The Planning Department collects fees to help defray the costs associated with processing and reviewing rezoning and development applications. Due to a higher than predicted application volume in FY2004, Planning Department fee revenue is projected to surpass the department's FY2004 adopted revenue figure by approximately \$100,000.

The appropriation of up to \$100,000 would cover FY2004 excess spending in the Planning Department. The excess spending can be attributed to various operating lines and less than projected personnel turnover.

Preparer: Thomas E. Jacobson

Title: Director, Planning

Attachments:

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Yes

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No

#000053



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Meeting Date: May 26, 2004

Budget and Management Comments:

This request is to appropriate up to \$100,000 in excess FY2004 Planning Department revenue to offset overspending in the department. The additional revenue is a result of a higher than anticipated volume of rezoning and development applications and will be available to appropriate. The overspending is a result of higher than projected spending in various operating lines and less than projected personnel turnover.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000054



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Page 1 of 2

Meeting Date: May 26, 2004

Item Number: 8.A.3.a.

Subject:

Authorize the County Administrator to Execute a Construction Contract for Horner Park, Phase I, Mount Herman Road Extended

County Administrator's Comments: *Recommend Approval*

County Administrator: *LBR*

Board Action Requested:

The Board of Supervisors is requested to authorize the County Administrator to execute a construction contract with Shelton Corporation in the amount of \$715,813 for the work at Horner Park, to construct Phase I Mount Herman Road Extended, a new access roadway from Clover Hill Athletic Complex across Otterdale Creek into the new Horner Park property.

Summary of Information:

This project is Phase I of a multi-phase development of the Park property, providing roadway access into the site. Subsequent phases will include picnic areas, ball fields, trail system, special events area, maintenance shop and compound and a 20-acre lake with boating and fishing access.

Preparer: Michael S. Golden

Title: Director, Parks and Recreation

Attachments:



Yes



No

000055



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Meeting Date: May 26, 2004

Budget and Management Comments:

The Board is requested to award a construction contract in the amount of \$715,813 to Shelton Corporation to construct Phase I of the Mount Herman Road Extended (a new access roadway from Clover Hill Athletic Complex crossing Otterdale Creek into the new Horner Park property). Sufficient funds are available in the project budget to cover the new road and are within the engineer's estimate for this phase of the project.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000056



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: May 26, 2004

Item Number: 8.A.3.b.

Subject:

Authorize the County Administrator to Execute a Construction Contract for Ecoff Elementary School Athletic Complex Phase II, New Entrance and Parking Lot

County Administrator's Comments:

Recommend Approval

County Administrator:

[Signature]

Board Action Requested:

The Board of Supervisors is requested to authorize the County Administrator to execute a construction contract with Colony Construction, Inc. in the amount of \$185,000 for the work at Ecoff Elementary School Athletic Complex, for Phase II new entrance and parking lot and to transfer available funds in the amount of \$33,500 from Parks Improvements to the Goyne Park/Ecoff Elementary School.

Summary of Information:

This project is Phase II of a multi-phase development plan for the athletic complex property, providing for construction of the new entrance and parking lot. Subsequent projects scheduled for future CIP phases will include expanded parking, restrooms, concession, two (2) lighted baseball fields and an expanded trail system to include connections to Goyne Park.

Preparer: Michael S. Golden

Title: Director, Parks and Recreation

Attachments:



Yes



No

#

000057



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Meeting Date: May 26, 2004

Budget and Management Comments:

This request is for award of a contract in the amount of \$185,000 to Colony Construction for a new entrance and parking lot at the Ecoff Elementary School Athletic Complex. Also requested is a transfer of \$33,500 from the general Parks Improvement Account. Sufficient funds are available in Parks Improvement Account to transfer and will bring the total appropriation to date for the Goyne Park/Ecoff Elementary development to \$383,500. These site improvements are anticipated to be finished in the fall of 2004. The FY2005 adopted Capital Improvement Program includes \$50,000 to continue with engineering and site planning for further development of the park/school site.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000058



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: May 26, 2004

Item Number: 8.A.3.e.

Subject: Award of Construction Contract for County Project No. 97-0120
Bermuda Orchard Waterline

County Administrator's Comments:

Recommend Approval
[Signature]

County Administrator: _____

Board Action Requested: Staff requests that the Board of Supervisors award a construction contract to Bryant Electric Company, Inc. in the amount of \$1,943,987 and transfer \$425,000 from project No. 97-0119E to project No. 97-0120E.

Summary of Information:

The contract consists of the construction of approximately 11,870 linear feet of waterline, extending from Bermuda Orchard Lane, south of the CSX railroad track, proceeding along an existing Virginia Power easement and connecting to an existing water main along Bermuda Hundred Road. This project serves the Enon area and the Meadowville Technology Park,

Staff received nine (9) bids ranging from \$1,943,987 to \$2,926,333. The lowest bid was in the amount of \$1,943,987 by Bryant Electric Company, Inc. The County's engineering consultant, AES Consulting Engineers, has evaluated the bids and recommends award of the contract to Bryant Electric Company, Inc.

Bids exceeded the original appropriated amount from a combination of the following factors.

- A revised alignment to accommodate the Rivermont Industrial Development.
- Rising steel and iron cost due to current demand.

Funds are currently available from the current CIP.

District: Bermuda

Preparer: Craig S. Bryant

Title: Director of Utilities

Attachments:



Yes



No

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000059

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Meeting Date: May 26, 2004

Budget and Management Comments:

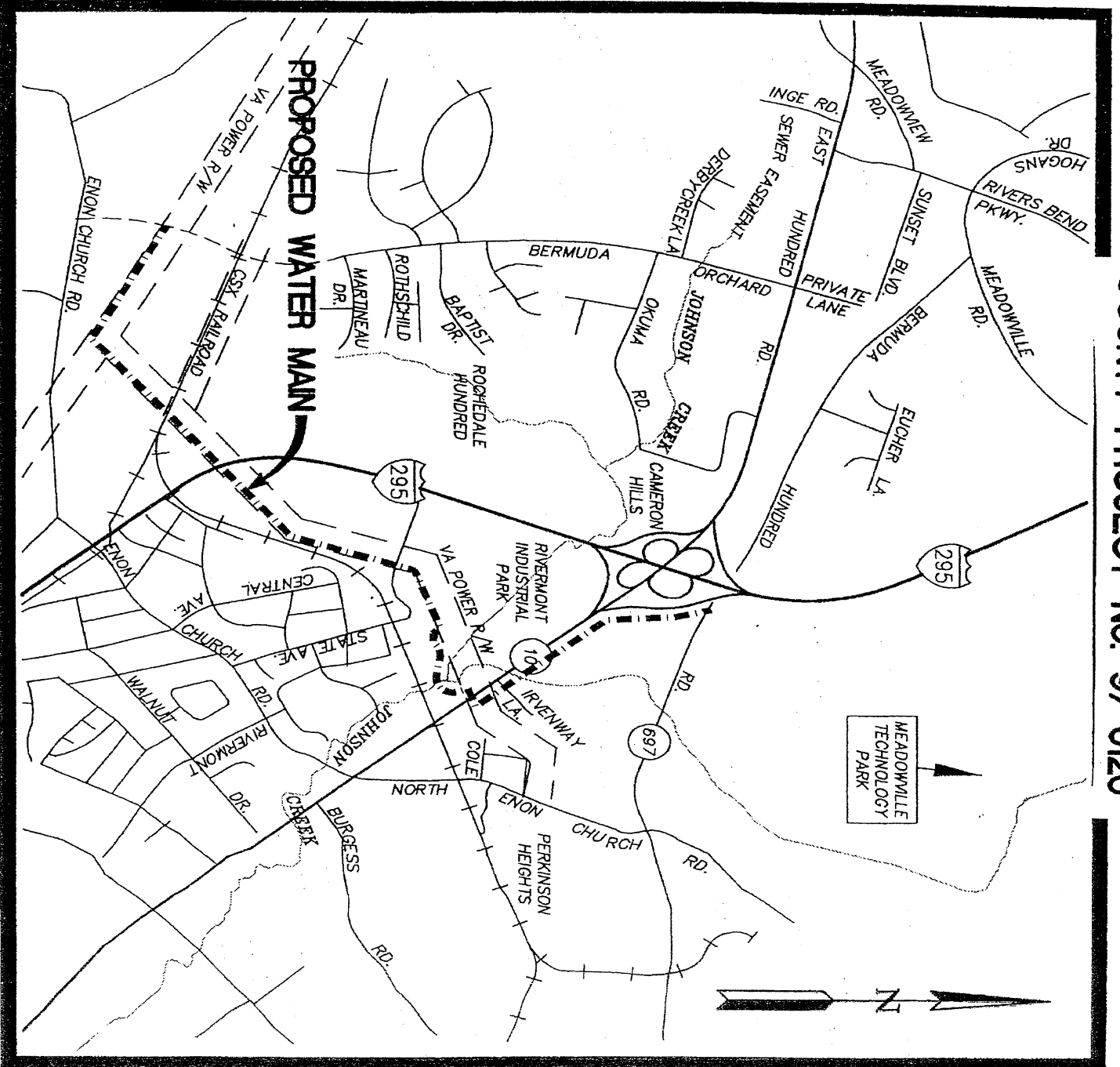
This item requests that the Board authorize the transfer of \$425,000 from the Ruffin Mill - Phase II project (970119E) to the Bermuda Orchard Waterline project (970120E) and authorize the award of a contract in the amount of \$1,943,987 to Bryant Electric Company, Inc. for the construction of the Bermuda Orchard waterline. Once the transfer of funds is complete, funds will be available in the Bermuda Orchard Waterline project to award the contract. The Ruffin Mill project can be completed with the remaining funds available.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000060

COUNTY PROJECT No. 97-0120



000061



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.3.d

Subject:

Award of a Construction Contract to 42 Contracting Company for the Improvements to the Bus Garage Fuel Point in the Amount of \$153,760 and Appropriation of \$173,760 from the Fleet Maintenance Retained Earnings Account for these Improvements

County Administrator's Comments:

Recommend Approval

County Administrator:

[Signature]

Board Action Requested: Award a construction contract to the 42 Contracting Company in the amount of \$153,760, appropriate \$173,760 from Fleet retained earnings, and authorize the County Administrator to execute all contract documents.

Summary of Information:

The bus garage fuel point is a critical operation in the school bus transportation operation. For many years the area has been subject to severe flooding during heavy rain events further subjecting the drivers to ankle deep water when refueling the buses. In addition, there is not adequate lighting for night fueling. This contract will provide adequate drainage while providing proper environmental fuel-water separation and add critical lighting thus making the operation safe and more efficient. 42 Contracting will initiate this project on June 16 after school closes for the summer and complete the tasks by August 15 in time for school re-opening. Appropriation of \$173,760 from Fleet retained earnings will cover the contract cost, a small contingency, and construction management oversight.

Preparer: Francis M. Pitaro

Title: Director of General Services

Attachments:

☐

Yes

☒

No

000062



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Meeting Date: May 26, 2004

Budget and Management Comments:

This item requests appropriation of \$173,760 from Fleet retained earnings to cover the cost of improvements at the Fleet school bus fueling site. Based on the most recent projection of fleet operations, FY2004 revenues will be sufficient to cover the division's operating costs for the year; however, projected FY2004 revenues would not be able to cover the cost of this site improvement. Sufficient funds are available in retained earnings to appropriate for this request.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000063



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: May 26, 2004

Item Number: 8.A.4.a.

Subject:

Set Public Hearing to Consider Miscellaneous Amendments to Section 17-36 of the Subdivision Ordinance, and Sections 19-65, 19-66, 19-100, 19-102, 19-103, 19-107.1, 19-108, 19-144, 19-145, 19-159, 19-172, 19-173, 19-181, 19-227, 19-301, 19-513, 19-514, 19-555, 19-637, 19-638 and 19-650 of the Zoning Ordinance

County Administrator's Comments:

Recommend June 23 for public hearing
JBJ

County Administrator: _____

Board Action Requested:

Set the Board of Supervisors public hearing for June 23, 2004.

Summary of Information:

The Planning Commission held their public hearing on the attached zoning and subdivision ordinance amendments on May 19, 2004. No one spoke in favor of or opposition to any of the amendments. The Planning Commission and staff recommend approval of the enclosed zoning and subdivision ordinance amendments.

Background

The Planning Department has a continuing project to update the zoning and subdivision ordinances in response to the needs of our citizens, the development community and code enforcement activities. This is the second in an ongoing series of such amendments.

Preparer: Thomas E. Jacobson

Title: Director of Planning

Attachments:



Yes



No

#

000064

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

A summary sheet and the detailed ordinance language for twenty (20) miscellaneous zoning and subdivision amendments are attached to this agenda item. The majority of the amendments reflect current practice, ordinance interpretations and clarification of existing language. Other amendments are designed to lessen the impact of certain home occupations on surrounding neighborhoods, regulate accessory building setbacks based on building height, improve code enforcement for certain signs and expand the use of administrative variances as permitted by the Code of Virginia.

000065

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING
AND RE-ENACTING THE FOLLOWING SECTIONS:

1. Changes reflecting clarification, correction and minor changes: 17-36 to delete the requirement for residential zoning prior to modifying existing subdivision lots with A zoning; 19-65, 19-102, 19-107.1 and 19-301 to improve ordinance formatting and clarity, yard sale restrictions are moved from definitions to restricted uses in R, R-TH and R-MF districts; 19-100 to clarify that the Board of Supervisors may grant permits for the location of manufactured homes in R-7 districts; 19-102 to clarify that a model home cannot be used as a rental office in R-TH districts; 19-144 and 19-145 to improve ordinance formatting, commercial parking lots are moved from permitted to restricted uses in C-1 districts; 19-145 to codify an interpretation permitting micro-breweries as accessory to restaurants; 19-159 to reformat standards for continuous outdoor display in C-3 districts; 19-172 and 19-173 to eliminate a duplicate listing of indoor recreation uses; to improve ordinance formatting, drive in theaters and truck terminals are moved from permitted to restricted uses in C-5 districts; 19-181 to reformat standards for utility uses and temporary mobile homes and to clarify that permitted and restricted uses in C-1 districts are restricted uses in I-1 districts; 19-227 to update the list of schools for which a nearby business needs a conditional use for the sale of alcoholic beverages due to school name changes and the demolition of a school; 19-301 to codify an interpretation that defines dry cleaning plants; 19-513 to reduce parking requirements for senior housing, assisted living, indoor sports field, warehousing, wholesale houses and distributors; 19-514 to permit flexibility for parking/vehicle stacking at day care centers; 19-638 to correct spelling in standards relative to banners.

2. Changes to development standards: 19-65, 19-66, 19-102, 19-103, 19-107.1, 19-108 and 19-301 to improve ordinance formatting, home occupations are moved from accessory to restricted uses; dance studios, private clubs, trash collection and automotive repair are prohibited as home occupations; standards are moved from definitions to restricted uses in R, R-TH and R-MF districts; and restrictions for customers, storage, vehicle parking and residency requirements are added; 19-173 to permit utility truck and trailer sales, service and repair in addition to rental in C-5 districts; 19-301 to expand the amount of a building setback variance that may be granted by the director of planning; 19-555 to regulate setbacks for accessory buildings in R, R-TH, R-MF, MH and A districts by building height rather than number of stories; 19-637 to require signs on the interior of a building that are legible from outside to comply with same standards for window mounted; and 19-650 to require a business that closes to remove the entire above ground sign structure within twelve (12) months of closing

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Sections 17-36, 19-65, 19-66, 19-100, 19-102, 19-103, 19-107.1, 19-108, 19-144, 19-145, 19-159, 19-172, 19-173, 19-181, 19-227, 19-301, 19-513, 19-514, 19-555, 19-637, 19-638 and 19-650 of the Code of the County of Chesterfield, 1997, as amended, are amended and re-enacted to read as follows:

[Amendment 1. (a)]

Sec. 17-36. Recordation of subdivision plat prior to compliance with zoning ordinance prohibited.

(a) Except as noted in sub-section (b), ~~N~~ no plat for a lot subdivision shall be recorded unless the land is included within a residential, or townhouse residential zoning district, or is a residential use in a commercial zoning district as defined by chapter 19 of this Code.

(b) Lots within a subdivision that was previously recorded in an agricultural zoning district, may be resubdivided or amended provided no additional building lots are created.

[Amendment 1. (b)]

Sec. 19-65. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-88 District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

(c) Yard sales, ~~as accessory to a principal use,~~ provided that the sale:

(1) Is accessory to a principal use on the same property.

(2) ~~they do~~ Does not exceed two days in duration.

(3) Is conducted by the owner or lessee of the property on which it occurs and includes only personal property owned by the seller and usual to a household, and

(4) Does not occur on the same property more than four times in any one calendar year and not more than twice within a 30-day period.

Sec. 19-102. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-TH District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

- (c) Yard sales, provided that the sale:
 - (1) Is accessory to a principal use on the same property,
 - (2) Does not exceed two days in duration,
 - (3) Is conducted by the owner or lessee of the property on which it occurs and includes only personal property owned by the seller and usual to a household, and
 - (4) Does not occur on the same property more than four times in any one calendar year and not more than twice within a 30-day period.

Sec. 19-107.1. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-MF District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

- (b) Yard sales, provided that the sale:
 - (1) Is accessory to a principal use on the same property,
 - (2) Does not exceed two days in duration,
 - (3) Is conducted by the owner or lessee of the property on which it occurs and includes only personal property owned by the seller and usual to a household, and
 - (4) Does not occur on the same property more than four times in any one calendar year and not more than twice within a 30-day period.

Section 19-301. Definitions

o o o

Yard sale: A sale, ~~not more than two days in duration,~~ of personal property owned by the

seller and usual to a household. ~~Such sale is conducted by the owner or lessee of the property on which it occurs. Such sale does not occur on the same property more than four times in any one calendar year and not more than twice within a 30-day period.~~ The word "yard sale" includes garage sale, lawn sale, attic sale, rummage sale, or any similar casual sale of tangible property which is advertised by any means whereby the public at large is or can be made aware of the sale.

o o o

[Amendment 1. (c)]

Section 19-100. Manufactured homes prohibited except under certain conditions.

The board of supervisors may grant a permit, with or without conditions, for the ~~original~~ location of a temporary manufactured home in an R-7 District and the permit shall specify the location of such home on the premises and shall assure compliance with county health and sanitary requirements. The permit shall be valid for up to seven years. At the expiration of the time specified on the permit, an application may be made for renewal of the manufactured home permit.

[Amendment 1. (d)]

Sec. 19-102. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-TH District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

- (a) Model homes, provided that:
 - (1) In addition to its permanent use as a dwelling, such home may be used as a temporary real estate office
 - (2) The temporary real estate office is only used to market the development in which the dwelling is located and:
 - a. ~~Is not used for the sale of lots or houses outside of the platted subdivision in which it is located~~
 - b. Is not used for the rental of homes outside of the platted subdivision in which it is located and/or
 - c. Is not used for a rental office for homes inside of the platted subdivision in which it is located except to market the homes when they are initially constructed

- (3) The temporary real estate office is incidental to construction activity taking place in the development.
- (4) The dwelling is not the primary real estate office for the company marketing the subdivision.
- (5) The dwelling is not used as a construction office or for the storage of construction equipment and/or materials.

o o o

[Amendment 1. (e)]

Sec. 19-144. Permitted uses by right.

Within any C-1 District, no buildings, structures or premises shall be used, arranged or designed to be used except for one or more of the following uses:

o o o

- ~~(i)~~ Commercial parking lots within the Ettrick Village Core.
- ~~(j)~~(i) Convenience store.
- ~~(k)~~(j) Drugstore/pharmacy.
- ~~(l)~~(k) Dry cleaning, pick-up and drop-off; coin-operated dry cleaning; pressing; laundry and laundromat; not to include dry cleaning plants.
- ~~(m)~~(l) Florist shop.
- ~~(n)~~(m) Grocery store.
- ~~(o)~~(n) Hardware store.
- ~~(p)~~(o) Nursery schools and child or adult care centers and kindergartens.
- ~~(q)~~(p) Offices.
- ~~(r)~~(q) Restaurants, not including fast food or carry-out restaurants.
- ~~(s)~~(r) Shoe repair shop.
- ~~(t)~~(s) Shopping centers.

~~(u)~~(t) Tailoring and dressmaking shops.

~~(v)~~(u) Massage clinics.

~~(w)~~(v) Underground utility uses when such uses are located in easements or in public road rights-of-way, except as provided in section 19-145(a).

~~(x)~~(w) Video rental and sales store.

Sec. 19-145. Uses permitted with certain restrictions.

The following uses shall be permitted in the C-1 District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section 19-13:

o o o

(f) Commercial parking lots provided they are within the Ettrick Village Core.

[Amendment 1. (f)]

Sec. 19-145. Uses permitted with certain restrictions.

The following uses shall be permitted in the C-1 District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section 19-13:

o o o

(g) Micro-breweries provided that:

(1) The use in accessory to a restaurant, and

(2) No odor or similar adverse impact from the use is evident on adjacent properties.

[Amendment 1. (g)]

Sec. 19-159. Uses permitted with certain restrictions.

The following uses shall be permitted in the C-3 District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section

19-13:

o o o

- (i) Continuous outside display of merchandise for sale, as accessory to a permitted use, provided that:
 - (1) merchandise shall be located under a covered pedestrian way that does not exceed 16 feet in width;
 - (2) no more than five percent of the gross floor area of the principal use shall be used for outside display purposes; and
 - (3) merchandise is displayed so that it does not obstruct pedestrian access.

o o o

[Amendment 1. (h)]

Sec. 19-172. Permitted uses by right.

Within any C-5 District, no buildings, structures or premises shall be used, arranged or designed to be used, except for one or more of the following uses:

o o o

- ~~(f) Recreational establishments, commercial indoor.~~
- ~~(g)~~(f) Wholesale trade of any products permitted to be sold at retail in this district.

~~In addition to the above uses, within a C-5 District, which is located outside of the boundaries of the Eastern Midlothian Turnpike Corridor, no buildings, structures or premises shall be used, arranged or designed to be used, except for one or more of the following uses:~~

- ~~(h) Drive-in theaters.~~
- ~~(i) Truck terminals.~~

Sec. 19-173. Uses permitted with certain restrictions.

The following uses shall be permitted in the C-5 District, subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section 19-13:

o o o

- (u) Drive-in theaters, provided they are located outside of the boundaries of the Eastern Midlothian Turnpike Corridor.
- (v) Truck terminals, provided they are located outside of the boundaries of the Eastern Midlothian Turnpike Corridor.

[Amendment 1. (i)]

Sec. 19-181. Uses permitted with certain restrictions.

The following uses shall be permitted in the I-1 District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section 19-13:

o o o

- (b) Uses permitted by right and with restrictions in the C-1 District, artist material and supply stores, health clubs, messenger or telegraph services and office supply stores provided that:

o o o

- (d) Public and private utility uses, so long as they require a structure, to include all water and waste water pumping stations; electric, gas, communications and natural gas, liquefied petroleum gas (LPG) and petroleum products transmission facilities; in addition, natural gas, liquefied gas and petroleum products transmission facilities above and below ground, provided that all such uses which are visible from adjacent R, R-TH, R-MF or O Districts or properties zoned Agricultural (A) and shown on the comprehensive plan as residential or office uses shall be:
 - (1) enclosed within a structure having a style and character compatible with surrounding residential or office structures or
 - (2) ~~shall be~~ completely screened from view from such adjacent properties.

o o o

- (g) One temporary mobile home, provided that:
 - (1) a mobile home has been legally on the property within the past six months

and

- (2) the board of supervisors grants a mobile home permit to allow the use to continue.

[Amendment 1. (j)]

Section 19-227. Sale of alcoholic beverages near schools.

(a) Notwithstanding any provisions in this chapter to the contrary, a conditional use permit shall be required for all commercial establishments seeking to sell alcoholic beverages, as defined in Code of Virginia, § 4.1-100, for on-premises consumption, within 500 linear feet of a school that is owned or operated by the county and that is built after December 15, 1993.¹

¹This section does not apply to the following schools: Bailey Bridge Middle, Bellwood Elementary, Bensley Elementary, Bermuda Elementary, Beulah Elementary, L.C. Bird High, Bon Air Elementary (IDC), Bon Air (Primary) Elementary, ~~Carver Middle~~, Chalkley Elementary, Chester Middle, Chesterfield Community High, Chesterfield Technical, Clover Hill Elementary, Clover Hill High, Thelma Crenshaw Elementary, Crestwood Elementary, Curtis Elementary, A.M. Davis Elementary, Dupuy Elementary (Ettrick Annex), Ecoff Elementary, Enon Elementary, Ettrick Elementary, Evergreen Elementary, Falling Creek Elementary, Falling Creek Middle, Fulghum Center, O.B. Gates Elementary, W.W. Gordon Elementary, Grange Hall Elementary, Greenfield Elementary, Harrowgate Elementary, ~~O.J.~~ G. Henning Elementary, Hopkins Elementary, Jacobs Elementary, ~~Kingsland Elementary~~, Manchester High, Manchester ~~(High)~~ Middle, Matoaca Elementary, Old Matoaca High, Matoaca Middle, Meadowbrook High, Midlothian Elementary (Swift Creek Middle Annex), Midlothian Middle ~~(High)~~, Midlothian High, Monacan High, Perrymont Middle, Providence Elementary, Providence Middle, Reams Elementary, Robious Elementary, Robious Middle, Salem Elementary, Salem Middle, Alberta Smith Elementary, Swift Creek Elementary, Swift Creek Middle, Thomas Dale High, Union Branch Elementary, Union Grove Elementary, Vehicle Maintenance (Courthouse), Vehicle Maintenance (Walmsley), J.B. Watkins Elementary, C.C. Wells Elementary, Winterpock Elementary, Woolridge Elementary.

[Amendment 1. (k)]

Section 19-301. Definitions

o o o

Dry cleaning plant: A facility where clothes that have been dropped off at another location are taken for cleaning. After cleaning, the clothes are typically returned to the drop off point for customer pick-up.

o o o

[Amendment 1. (I)]

Sec. 19-513. Parking spaces required.

Except as provided for in section 19-608(a), the minimum number of parking spaces to be provided for each use shall be as follows:

<i>Use</i>	<i>Number of Spaces</i>
(a) Residential and Lodging:	
(1) <u>Except as noted in subsections 2 and 3, D dwellings, to include single-family, two-family, multifamily, townhouses and manufactured homes outside of MH-1 zoning districts</u>	2 for each dwelling unit
(2) <u>Dwellings, multifamily restricted to "housing for older persons" as defined in the Virginia Fair Housing Law with no persons under 19 years of age domiciled therein.</u>	<u>1.2 spaces for each dwelling unit</u>
(3) <u>Dwellings, multifamily assisted living</u>	<u>0.8 spaces for each dwelling unit</u>
(2) (4) Motels, hotels, boardinghouses With lounges/restaurant With meeting facilities	1 per bedroom Add 1 per 150 square feet for such area Add 1 per 3 seats for such area
(3) (5) Rest homes and nursing homes	1 for each 4 beds
o o o	o o o
(e) Recreational:	
o o o	o o o
(7) <u>Indoor athletic fields without spectator seating</u>	<u>45 spaces for each field</u>
(7) (8) Other indoor commercial	1 for each 200 square feet of gross

recreational facilities		floor area	
(8)(9)	Go kart, bumper boats and similar facilities		1 for each 3 boats/karts that can be accommodated on the track/water at any one time
(9)(10)	Sports/play fields		30 for each field
	o o o		o o o
(h)	Business and Industrial:		
	o o o		o o o
(7)	Warehousing, wholesaling houses and distributors		1 per employee, plus 1 per 4,000 <u>200</u> square feet of gross floor area <u>for front counter sales and stock area</u> , plus 1 per company vehicle (spaces to be computed on maximum numbers of employees on-site at any one time)
	o o o		o o o

[Amendment 1. (m)]

Sec. 19-514. Design standards for off-street parking.

o o o

(e) *Stacking lane requirements.* Stacking space shall be provided for any use having drive-through facilities or areas having drop-off and pick-up areas. Stacking spaces shall have a minimum length of 18 feet. Stacking spaces shall conform to the parking setback for the district in which the use is located. Stacking spaces shall be designed so as not to impede on- and off-site traffic movement or movement into and out of parking spaces. Stacking spaces shall be separated from other internal driveways with raised medians, as deemed necessary for traffic movement or safety, at the time of site plan review. Stacking spaces shall be provided as follows:

o o o

- (2) *Nursery schools and child and adult care centers:* Parking areas and driveways for nursery schools and child and adult care center activities shall be designed to provide an area for drop-off and pick-up. This area shall be connected to the main building by a sidewalk so that children need not to cross any driveway. Driveways, entrances and exits should be designed to maximize pedestrian safety.

- a. Where drop off and pick up is provided directly from vehicles, stacking space shall be provided.

- b. Where drop off and pick up is not provided directly from vehicles, stacking space need not be provided if five (5) additional parking spaces are provided.
- c. ~~Further, i~~ If school age children are cared for, a sidewalk shall be provided from the building to an approved school bus pick-up and drop-off area.

o o o

[Amendment 1. (n)]

Sec. 19-638. Banners.

Banners do not require sign permits and are allowed so long as:

o o o

- (b) A single banner not to exceed 50 square feet in area may be used to advertise a new business which has not installed ~~it's~~ its permanent signs, provided the banner is used for one time period not to exceed 30 consecutive days

o o o

[Amendment 2. (a) . . . Amendment under review by the Chesterfield Planning Commission]

[Amendment 2. (b)]

Sec. 19-65. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-88 District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

- (d) Home occupation, provided that:
 - (1) The use is conducted solely by one or more members of a family that live on the premises,
 - (2) The use is within a dwelling, accessory structure or both provided that the total area for the use does not exceed 25% of the floor of the dwelling or 250 square feet, whichever is greater,

- (3) The use is clearly incidental and secondary to the use of the property for dwelling purposes and no external alterations, which would cause the premises to differ from its residential character by the use of colors, materials, lighting, or construction, are permitted. Additionally, no construction of additions or accessory structures for the operation of the home occupation is permitted.
- (4) No commodity is stored or sold on the premises except for light inventory that does not exceed 20 square feet and can be stored in a closet or cabinet.
- (5) No more than one vehicle (motor vehicle or trailer) used in conjunction with the home occupation is parked on the premises. No equipment shall be stored outside the dwelling or accessory structures that would indicate that a business is being conducted on site except for equipment stored on the vehicle used in conjunction with the business. The vehicle and equipment for a home occupation shall be parked on the premises where the home occupation is conducted, and
- (6) No assembly or group instruction shall be permitted with a home occupation. Individual instruction on a one to one basis is permitted. Only one client may be on the property at any one time.

Sec. 19-66. Accessory uses, buildings and structure.

The following accessory uses, buildings and structures shall be permitted in the R-88 District:

o o o

- ~~(b)~~ Home occupations.
- ~~(e)~~(b) Tennis courts and similar recreational facilities.
- ~~(d)~~(c) Swimming pools and adjoining deck areas; provided that no swimming pool wall shall be located within six feet of an adjacent lot or parcel nor in a required front or corner side yard.
- ~~(e)~~(d) Temporary buildings or trailers devoted to purposes incidental to construction activities taking place on the premises; provided that such buildings or trailers shall be removed upon completion or abandonment of the work.
- ~~(f)~~(e) Signs.
- ~~(g)~~(f) Other accessory uses, buildings and structures not otherwise prohibited,

customarily accessory and incidental to any permitted use.

Sec. 19-102. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-TH District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

(d) Home occupation, provided that:

- (1) The use is conducted solely by one or more members of a family that live on the premises,**
- (2) The use is within a dwelling, accessory structure or both provided that the total area for the use does not exceed 25% of the floor of the dwelling or 250 square feet, whichever is greater,**
- (3) The use is clearly incidental and secondary to the use of the property for dwelling purposes and no external alterations, which would cause the premises to differ from its residential character by the use of colors, materials, lighting, or construction, are permitted. Additionally, no construction of additions or accessory structures for the operation of the home occupation is permitted,**
- (4) No commodity is stored or sold on the premises except for light inventory that does not exceed 20 square feet and can be stored in a closet or cabinet,**
- (5) No more than one vehicle (motor vehicle or trailer) used in conjunction with the home occupation is parked on the premises. No equipment shall be stored outside the dwelling or accessory structures that would indicate that a business is being conducted on site except for equipment stored on the vehicle used in conjunction with the business. The vehicle and equipment for a home occupation shall be parked on the premises where the home occupation is conducted, and**
- (6) No assembly or group instruction shall be permitted with a home occupation. Individual instruction on a one to one basis is permitted. Only one client may be on the property at any one time.**

Sec. 19-103. Accessory uses, buildings and structures.

The following accessory uses, buildings and structures shall be permitted in the R-TH District:

o o o

~~(d)~~ ~~Home occupations.~~

~~(e)~~(d) Temporary buildings or trailers devoted to purposes incidental to construction activities taking place on the premises; provided that such buildings and trailers shall be removed upon completion or abandonment of such work.

~~(f)~~(e) Buildings and structures devoted to maintenance and groundskeeping purposes and equipment storage.

~~(g)~~(f) Signs.

~~(h)~~(g) Other accessory uses, buildings and structures not otherwise prohibited, customarily accessory and incidental to any permitted use.

Sec. 19-107.1. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-MF District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

(c) Home occupation, provided that:

(1) The use is conducted solely by one or more members of a family that live on the premises,

(2) The use is within a dwelling, accessory structure or both provided that the total area for the use does not exceed 25% of the floor of the dwelling or 250 square feet, whichever is greater,

(3) The use is clearly incidental and secondary to the use of the property for dwelling purposes and no external alterations, which would cause the premises to differ from its residential character by the use of colors, materials, lighting, or construction, are permitted. Additionally, no construction of additions or accessory structures for the operation of the home occupation is permitted,

(4) No commodity is stored or sold on the premises except for light inventory that does not exceed 20 square feet and can be stored in a closet or cabinet,

- (5) No more than one vehicle (motor vehicle or trailer) used in conjunction with the home occupation is parked on the premises. No equipment shall be stored outside the dwelling or accessory structures that would indicate that a business is being conducted on site except for equipment stored on the vehicle used in conjunction with the business. The vehicle and equipment for a home occupation shall be parked on the premises where the home occupation is conducted, and
- (6) No assembly or group instruction shall be permitted with a home occupation. Individual instruction on a one to one basis is permitted. Only one client may be on the property at any one time.

Sec. 19-108. Accessory uses, buildings and structures.

The following accessory uses, buildings and structures shall be permitted in the R-MF District:

- (a) Private garages, gardens, tool and storage buildings. No shipping containers, trailers, vehicle bodies or similar containers shall be used for these purposes.
- ~~(b)~~ ~~Home occupations.~~
- ~~(e)~~(b) Recreational facilities as required for the project and that primarily serve the surrounding residential community.
- ~~(d)~~(c) Management office and maintenance buildings for the project.
- ~~(e)~~(d) Temporary buildings or trailers devoted to purposes incidental to construction activities taking place on the premises; provided that such buildings or trailers shall be removed upon completion or abandonment of such work.
- ~~(f)~~(e) Signs.
- ~~(g)~~(f) Other accessory uses, buildings and structures not otherwise prohibited, customarily accessory and incidental to any permitted use.

Section 19-301. Definitions

O O O

Home occupation: Any occupation, profession, enterprise or activity conducted solely by one or more members of a family living on the premises which is incidental and secondary to the use of the premises as a dwelling, including but not limited to the home office of a member of a recognized or licensed profession, such as an attorney, physician, dentist, certified massage therapist as defined in County Code § 15-91, musician, artist, real estate salesperson or broker, or

engineer ; provided that: _

- (1) ~~Not more than the equivalent area of one quarter of one floor shall be used for such purpose;~~
- (2) ~~Such occupation shall not require external alterations;~~
- (3) ~~No commodity is stored or sold, except those made on the premises;~~
- (4) ~~There shall be no group instruction, assembly or activity, and no display that will indicate from the exterior that the building is being used in part for any purpose other than that of a dwelling; and~~
- (5) ~~Only one motor vehicle used in conjunction with the home occupation is parked on the premises.~~

Permitted home occupations shall not include animal hospitals or kennels, beauty parlors, barbershops, dance studios, motor vehicle repair, motor vehicle towing, motor vehicle painting or body work, motor vehicle detailing, nursing homes, convalescent homes, rest homes, private clubs, tourist homes, trash collection or similar establishments offering services to the general public.

o o o

[Amendment 2. (c)]

Sec. 19-173. Uses permitted with certain restrictions.

The following uses shall be permitted in the C-5 District, subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section 19-13:

o o o

- (t) Utility trailer and truck sales, service, repair and rental, provided that such use is not located in the Eastern Midlothian Turnpike Corridor.

[Amendment 2. (d) . . . Amendment under review by the Chesterfield Planning Commission]

[Amendment 2. (e)]

Sec. 19-301. Definitions.

o o o

Variance, administrative: A variance from any building setback requirement which may be granted by the director of planning with the following restrictions:

- (1) ~~The amount of the variance shall be limited to a maximum of ten feet or 50 percent of the required setback, whichever is greater, and~~
- (2)(1) The director of planning must find in writing that:
 - (a) The strict application of the ordinance requirement would produce undue hardship;
 - (b) Such hardship is not shared generally by other properties in the same zoning district and the same vicinity; and
 - (c) The authorization of such variance will not be of substantial detriment to adjacent property and the character of the zoning district will not be changed by granting the variance.

o o o

[Amendment 2. (f)]

Sec. 19-555. Required yards for accessory buildings and structures in R, R-TH, MH and A Districts.

Except as indicated in this section, the yard requirements for permitted uses shall apply to the accessory buildings and structures.

- (1) In R, MH-2 and A Districts and in R-TH Districts identified in section 19-106, ~~one-story~~ detached accessory buildings less than 12 feet in height, accessory structures which have a roof or any structures specified in section 19-507(f) except amateur radio antennas in excess of 50 feet in height shall observe a side yard setback not less than half the required side yard for a permitted use; a front yard setback of the lesser of half the average depth of the lot or 80 feet; and a rear yard setback of not less than ten feet; except that an accessory building or structure which as a roof located on a through lot shall meet a rear yard setback of not less than 30 feet and an accessory building or structure which has a roof located on a corner lot shall observe a corner side yard setback not less than the required front yard setback for a permitted use.

o o o

- (3) In R, MH-2 and A Districts and lots in R-TH Districts identified in section 19-

106, a detached accessory building having ~~more than one story~~ a height of 12 feet or greater shall observe an interior side yard not less than the side yard required ~~of the~~ for a permitted use; a rear yard setback of not less than half the required rear yard for a permitted use, except that a building located on a through lot shall meet a rear yard setback of not less than 30 feet; a corner side yard setback of not less than the front yard requirement for a permitted use; and a front yard setback the lesser of half ~~of the average lot depth of the lot~~ or 80 feet.

o o o

[Amendment 2. (g)]

Sec. 19-637. Limitation on specific signs.

o o o

- (q) Signs attached to, or visible through, doors or windows that are legible from outside the building shall not exceed 15 square feet or 25 percent of the total window and door area located on any one face of the building, whichever is less. Further, signs ~~in~~ which are mounted on doors or windows shall be located within the top half of the door or window.

o o o

[Amendment 2. (h)]

Sec. 19-650. Nonconforming and illegal signs.

o o o

- (h) A business that has closed shall be required to remove any onsite or offsite signs, including all structural elements down to the ground level, associated with the business within 12 months of the date the business closed.

o o o

- (2) *That this ordinance shall become effective immediately upon adoption.*

CPC 5/18/04 results	Amendment number	Type change	Changes to	Ordinance section(s)	Need for amendment
Changes reflecting clarification, correction or minor adjustments					
Recommend approval	1. (a)	Customer service	Standard	17-36 Recordation of subdivision plat...	This section prohibits the recordation of subdivision lots in A districts. A number of older subdivisions were recorded with A zoning. Lots in those subdivisions cannot be amended or modified without re-zoning. This amendment will allow modification of lots in subdivisions with A zoning provided no new lots are created.
Recommend approval	1. (b)	Clarification	None	19-65, 19-102, 19-107.1 and 19-301 Restricted uses in R-88, R-TH, R-MF districts and the definition of yard sale	Specific restrictions for yard sales are being moved from definitions to restricted uses in R, R-TH and R-MF districts in order to clarify the requirements for the use.
Recommend approval	1. (c)	Clarification	None	19-100 Manufactured homes in R-7 districts	This amendment will clarify ordinance language to address the long standing practice of granting new manufactured home permits to individuals when the owner of the property changes.
Recommend approval	1. (d)	Clarification	None	19-102 Uses permitted with certain restrictions in R-TH districts.	This section permits model homes under certain conditions. The code compliance branch has used this section to prohibit model homes from being used as long term rental offices in R-TH projects and requests the section be clarified to assist in future code compliance actions.
Recommend approval	1. (e)	Correction	None	19-144 and 19-145 Permitted and restricted uses in C-1 districts.	Commercial parking lots are moved from permitted to restricted uses in C-1 districts consistent with the ordinance format.
Recommend approval	1. (f)	Interpretation	None	19-145 Restricted uses in C-1 districts.	Micro-breweries have been interpreted as accessory to restaurants. This amendment codifies that interpretation.
Recommend approval	1. (g)	Correction	None	19-159 Restricted uses in C-3 districts	Correct the formatting of continuous outdoor display of merchandise for sale.
Recommend approval	1. (h)	Correction	None	19-172 and 19-173 Permitted and restricted uses in C-5 districts.	Indoor recreation is listed as a permitted use and does not need to be carried over as a permitted use from the C-3 district. Delete this use from section 19-172. Drive in theaters and truck terminals are moved from permitted to restricted uses consistent with the ordinance format.
Recommend approval	1. (i)	Clarification	None	19-181 Restricted uses in I-1 districts.	Clarify that uses permitted includes those uses permitted by right and with certain restrictions in C-1 districts and correct the format for utility uses and temporary mobile homes.
Recommend approval	1. (j)	Correction	None	19-227. Sale of alcoholic beverages near schools	This section requires a conditional use for the sale of alcoholic beverages for on premises consumption within 500 feet of County schools built after December 15, 1993. A footnote lists the schools built prior to that date. The footnote is being amended to reflect name changes for some schools and the demolition of Kingsland Elementary School.
Recommend approval	1. (k)	Interpretation	None	19-301 Definition of dry cleaning plant.	Dry cleaning plant is listed in the zoning ordinance, but is not defined. To clarify that, an interpretation was made that defined dry cleaning plant. This amendment codifies that interpretation.
Recommend approval	1. (l)	Customer service	Standard	19-513 Parking requirements for residential uses, indoor recreation facilities and warehousing, wholesale houses and distributors	Current parking standards are too high for housing for active seniors and assisted living facilities; indoor sports fields; and warehousing, wholesale houses and distributors. This amendment reduces parking requirements for those uses.
Recommend approval	1. (m)	Customer service	Standard	19-514 Design standards for off-street parking	A vehicle stacking lane is required at day care centers where parents can stay in their car when they drop off and pick up children. Some day care providers now require parents to enter the building and sign the children in and out negating the need for stacking lanes. This amendment allows flexibility based on the type of drop off used at the facility.

CPC 5/18/04 results	Amendment number	Type change	Changes to	Ordinance section(s)	Need for amendment
Recommend approval	1. (n)	Correction	None	19-638 Banners	The contraction it's is used when the correct term is the possessive its.
Changes to development standards					
Under review by the Chesterfield Planning Commission. Will be forwarded to the Board of Supervisors upon completion by CPC.					The Code of Virginia and the County Subdivision Ordinance exempt property divisions for family members from the typical subdivision process. This exemption has been used to circumvent the requirements of the subdivision ordinance. This amendment will require a minimum period of ownership by family members; an affidavit of intent; establish legal presumptions regarding violations; establish penalties, restrictions and corrective measures for violations; and require warning language on plats to alert future property owners of the family subdivision restrictions.
	2. (a)	Enforcement	Standard	17-2 and 17-46 Subdivision definitions and plat requirements	
				19-65, 19-66, 19-102, 19-103, 19-107.1, 19-108 and 19-301 Permitted and accessory uses in R-88, R-TH and R-MF districts and the definition of home occupation.	This amendment moves home occupations from accessory to restricted uses in R-88, R-TH and R-MF districts. Specific restrictions for home occupations are moved from the definition section to restricted uses. Dance studios, private clubs, trash collection and automotive repair are prohibited as home occupations. Restrictions are added relative to customers, storage, vehicle parking and residency requirements.
Recommend approval	2. (b)	Clarification and interpretation	None		The section permits the sales, service, repair and rental of various type vehicles. Utility trailer and truck rental is permitted. This amendment adds the sales, service and repair of those vehicles to C-5 restricted uses.
Recommend approval	2. (c)	Consistency	Use	19-173 Restricted uses in C-5 districts.	
Under review by the Chesterfield Planning Commission. Will be forwarded to the Board of Supervisors upon completion by CPC.					Warehouses, including mini-warehouses, are permitted uses in I-1 districts. Mini-warehouse owners have requested that outdoor vehicle storage be permitted in I-1 districts. This amendment adds vehicle storage as a restricted use with conditions to screen the use and limit activity associated with the storage.
	2. (d)	Customer service	Use	19-181 and 19-185 Restricted uses and required conditions in I-1 districts.	Administrative variances are processed more quickly than variances considered by the Board of Zoning Appeals. The need for these variances usually arises during the review of a building permit or during the research for the sale of an existing home. The Code of Virginia does not limit the size of an administrative variance. The zoning ordinance restricts administrative variances to half the required setback or 10 feet, whichever is greater. Customers would receive quicker service if the zoning ordinance restriction was eliminated. This amendment would eliminate the restrictions in the zoning ordinance. The ordinance would still provide standards for review and approval and retain appeal rights to the Board of Zoning Appeals.
Recommend approval	2. (e)	Customer service	Process	19-301 Definition of administrative variance	
				19-555 Required yards for accessory structures in R, R-TH, R-MF, MH and A districts	Setbacks for accessory buildings are currently regulated by the number of stories, not the height. Neighborhood complaints arise about setbacks of tall, one story buildings... typically garages. This amendment changes the standard to regulate setback by building height.
Recommend approval	2. (f)	Customer service	Standard		The size and location of internal signs mounted on windows and doors and visible from outside the building are regulated. Other large signs are now being installed on the interior of buildings that are not regulated by the section. This amendment would regulate all interior signs that are legible from outside the building.
Recommend approval	2. (g)	Enforcement	Standard	19-637. Limitation on specific signs.	

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CPC 5/18/04 results	Amendment number	Type change	Changes to	Ordinance section(s)	Need for amendment
Recommend approval	2. (h)	Enforcement	Standard	19-650 Non conforming and illegal signs	The ordinance used to require that abandoned signs be removed, including the structure down to the base. The ordinance now requires only that the sign face, not the structure, be removed. The code compliance branch cannot now require the removal of sign poles and the frame for the sign face. This amendment would allow the code compliance branch to improve the appearance of commercial corridors.

000087



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

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Meeting Date: May 26, 2004

Item Number: 8.A.4.b.

Subject:

Set Date to Consider Amendment to the Tower Siting Policy and Set Date for Public Hearing on Related Code Amendments

County Administrator's Comments:

*Recommend June 23 for
Public hearing*

County Administrator: _____

[Signature]

Board Action Requested:

Set June 23, 2004 for consideration of an amendment to the Tower Siting Policy and set June 23, 2004, public hearing on related code amendments.

Summary of Information:

At the request of the Board of Supervisors, the Planning Commission, in conjunction with the cellular industry, evaluated the Tower Siting Policy and Code amendments relating to towers. As a result, the Planning Commission is recommending certain amendments, which are outlined in detail in the attachments.

In summary, the Planning Commission recommends the following:

PROPOSED POLICY AMENDMENTS

- A. Allow physical features other than Resource Protection Areas (RPAs) to provide boundaries between the tower site and future development in areas designated for residential use of 0.5 units per acre or less or rural conservation;

Preparer: Thomas E. Jacobson

Title: Director of Planning

C:AGENDA/2004/MAY/MAY26/PHTOWERSITING/GOK

Attachments:



Yes



No

#000088

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

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-
- B. Support co-location on stadium light poles at school and park athletic facilities and on electrical transmission structures;
 - C. Support lighting of towers and a design other than monopole where the Ordinance would allow towers to exceed 199 feet;
 - D. Eliminate setback requirements in the administrative policy.

PROPOSED ORDINANCE AMENDMENTS

- A. Permit communication towers to co-locate on electrical transmission structures by right subject to certain restrictions in all districts.
- B. Increase permitted height of communication towers for those areas designated on the Comprehensive Plan for rural conservation from 150 feet to 300 feet and an increase in the permitted height of communications towers in all other areas from 150 feet to 199 feet.

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PROPOSED POLICY AMENDMENTS - DETAILS

The Policy has been amended to:

- A. Allow physical features other than Resource Protection Areas (RPAs) to provide boundaries between the tower site and future development in areas designated on the Comprehensive Plan for residential use of 0.5 units per acre or less or rural conservation;
- B. Support co-location on stadium light poles at school and park athletic facilities and on electrical transmission structures;
- C. Support lighting of towers and a design other than monopole where the Ordinance would allow towers to exceed 199 feet;
- D. Amend the recommended conditions, as appropriate, to address these new standards;
- E. Eliminate discussion relative to interference with the County's Communications System in the policy since the Ordinance addresses such interference; and
- F. Eliminate setback requirements in the administrative policy since the Ordinance addresses setbacks.

PROPOSED ORDINANCE AMENDMENTS - DETAILS

There are two (2) ordinance amendments proposed:

- A. The proposed amendments to Sections 19-65, 19-102, 19-107.1, 19-124, 19-131, 19-173 and 19-181 and the addition of Section 19-113.1 would permit communication towers to co-locate on electrical transmission structures by right subject to certain restrictions in all districts. The restrictions include: a requirement for flush-mount antennae, a limitation that the antennae not exceed a height of twenty (20) feet above the permitted structure provided such height does not exceed the limitations of Sections 19-507 and 19-507.2, antennae are gray or another neutral color acceptable to the planning department, any building or mechanical equipment complies with Emerging Growth Area Development Standards relative to architectural treatment and screening, and a requirement that the antennae shall be dismantled and it and all associated equipment be removed from the property at such time as the antennae ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months.

(Staff Note: If the co-location conforms to the restrictions, administrative substantial accord determination would be possible. If the restrictions are not met, it would be necessary to obtain a Conditional Use to permit the communications tower.)

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- B. The proposed amendments to Section 19-507 and the addition of Section 19-507.2 would permit an increase in the permitted height of communication towers for those areas designated on the Comprehensive Plan for rural conservation from 150 feet to 300 feet and an increase in the permitted height of communications towers in all other areas from 150 feet to 199 feet. These increases in height would still be subject to yard requirements of the specific zoning districts in which the towers are located.

(Staff Note: These towers would still be required to obtain a Conditional Use at which time site specific evaluation would allow a determination as to whether an increased height is appropriate in a given area.)

BACKGROUND

On February 22, 2002, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, approved revisions to the County's Tower Siting Policy as a result of the Commission's concerns relative to tower lighting and design.

At the Board's meeting, a telecommunications industry representative expressed concerns with the Policy, and in response the Board directed the Commission to re-evaluate the Policy to determine if further revisions should be made.

As a result, the Commission requested that staff obtain input from the telecommunication industry representatives as to changes that may be desired in the Policy. Staff had several meetings with the representatives. Once comments were finalized from the industry representatives, the Commission held a work session. Generally, the industry suggested the County should consider: permitting taller towers in rural areas of the County, encouraging co-location on non-conforming towers, permitting co-location on buildings and electrical transmission structures after an administrative review, and permitting towers on County properties and in proximity to residences on agriculturally zoned properties.

Subsequently, the Commission directed staff to prepare certain draft revisions to the policy relative to permitting taller towers in rural and other areas of the County, encouraging co-location on buildings and electrical transmission structures subject to certain restrictions, and considering tower locations on county properties. Staff reviewed the draft Policy and Ordinance amendments with the Commission at their work session in May 2003. The Commission suggested changes to the draft amendments which were finalized for the Commission's consideration at their March 16, 2004 work session. At this meeting, the Commission authorized advertisement of the Policy and Ordinance amendments for a public hearing at their April 20, 2004, meeting. On April 20, 2004, after public input and hearing, the Commission recommended approval of the attached changes.

Tower Siting Policy

Guidelines for Review of Planning Commission and Board of Supervisors Substantial Accord Determinations and/or Zoning Approval for Communications Tower Locations

(NOTE: In general, the following are the guidelines which will be used to deliberate a proposed tower location relative to Substantial Accord and/or Zoning approval. Meeting these guidelines will not automatically address site specific concerns. Additional conditions may be imposed and/or recommended to address such concerns to further insure compliance with the Plan for Chesterfield or the purposes of the Zoning Ordinance in the instance of a zoning action.)

- A. Typically, the tower should be located in an area designated on the Comprehensive Plan for general commercial, general industrial and/or agricultural/forestal use.
- B. Typically, the tower should also satisfy the locational and design criteria for towers outlined in the Public Facilities Plan. The Public Facilities Plan suggests that:
 - 1) The tower should, where appropriate, be located in the vicinity of other existing towers and the tower should generally be designed to allow for shared use.
 - 2) The tower should generally be located away from existing or planned areas of residential, recreational and similar types of development. Specifically, towers should generally be located away from agriculturally zoned land identified on the Comprehensive Plan for residential use, residences on agriculturally zoned land, residentially zoned property, villages, schools, parks, community recreational facilities or similar development.
 - 3) Views of the tower from such existing or planned areas of development should be minimized.
- C. If a tower is to be located in the vicinity of existing or planned areas of development or other high visibility areas, such as near the intersections of major roads or along rivers, the tower should be architecturally incorporated in the design of an existing structure, such as a church or office building, or possess design features that mask the utilitarian nature of the tower. Otherwise, the tower should be located as remotely as possible from existing or planned areas of development or other high visibility areas and on property that is densely wooded with mature trees. Measures should be taken to insure the preservation of a mature stand of trees around the tower. The stand of trees should be of sufficient width, height and density to minimize views of the tower. Further, any antennas of other tower-mounted equipment should be designed, spaced, placed, and/or masked so as to minimize the visual impact.

- D. In areas designated on the Comprehensive Plan for residential use of 0.5 units per acre or less or rural conservation, towers may be appropriate where physical features such as topographical changes and streams (non-RPA and RPA) provide a boundary to future development.
- E. Under certain circumstances where the tower or antennae is designed to mask the improvement, co-location on stadium light poles at schools and parks athletic facilities; on electrical transmission structures; or on water towers and similar structures may be appropriate.
- ~~D.~~ F. The tower should be located and/or designed so as not to create a hazard for air navigation or affect the operations of the Chesterfield County Airport.
- ~~E.~~ G. The tower should be located to minimize the possibility of any adverse impact on existing or planned areas of development, the Chesterfield County Communications System and the County Airport. To address these concerns, the following is a list of conditions typically recommended for imposition on tower requests:
1. There shall be no signs permitted to identify this use. (P)
 2. The base of the tower shall be enclosed by a minimum six (6) foot high fence designed to preclude trespassing. The fence shall be placed so as to provide sufficient room between the fence and the property line to accommodate evergreen plantings having an initial height and spacing to provide screening of the base of the tower and accessory ground mounted equipment or structures from adjacent properties. A detailed plan depicting this requirement shall be submitted to the Planning Department for approval in conjunction with final site plan review. (P)
 - ~~3. The tower and equipment shall be designed and installed so as not to interfere with Chesterfield County Communications System. At the time of site plan review, the owner/development shall submit information as deemed necessary by the Chesterfield County Communications and Electronics staff to determine if an engineering study should be performed to analyze the possibility of radio frequency interference with the County system, based upon tower location and height, and upon the frequencies and effective radiated power generated by tower mounted equipment. Prior to release of a building permit the study, if required, shall be submitted to, and approved by, the Chesterfield County Communications and Electronics staff. (GS)~~
 4. 3. The developer shall be responsible for correcting any frequency problems which affect the Chesterfield County Communications System caused by this use. Such correction shall be made immediately upon notification by the Chesterfield County Communications and Electronics staff. (GS)

5. 4. The color and lighting system for the tower shall be as follows:
- a. The tower shall be gray or another neutral color, acceptable to the Planning Department.
 - b. The tower shall not be lighted.

(NOTE: This requirement shall not apply to areas where towers are allowed by the Zoning Ordinance to exceed 199 feet. At the time of application, if lighting is desired, detailed plans as to the proposed lighting shall be submitted. Those details will be reviewed by the staff, Planning Commission and Board of Supervisors to determine if lighting would have a negative impact on the surrounding area. Generally, if lighting is determined not to have an adverse impact, the following condition will typically be recommended: Lighting during daylight hours shall be limited to medium intensity strobe lights with upward reflection and lighting during night-time hours shall be limited to soft blinking lights with upward reflection.)

- c. The tower shall be a monopole structure. (P)

(NOTE: This requirement shall not apply to areas where towers are allowed by the Zoning Ordinance to exceed 199 feet. At the time of application, if alternative treatment of the tower is desired, or determined to be appropriate given the location such as in a residential area, detailed plans as to the proposed alternative treatment shall be submitted. Those details will be reviewed by the staff, Planning Commission and Board of Supervisors to determine if the alternative design would have a negative impact on the surrounding area. Such treatments, which are designed to disguise the appearance of the tower, may include masking devices, design features or incorporation into the architectural design of a building.)

- ~~6.~~ 5. Any building or mechanical equipment shall comply with Section (area in which located) of the Zoning Ordinance relative to architectural treatment of building exteriors and screening of mechanical equipment. (P)

(NOTE: Section (area in which located) would require the screening of mechanical equipment located on the building or ground from adjacent properties and public rights of way. Screening would not be required for the tower or tower-mounted equipment. Provided, however, that in I-2 and I-3 Districts, such equipment need not be screened from view of any I-2 or I-3 District or any public right of way which does not accommodate or is not intended to accommodate through traffic movements.)

- ~~7.~~ 6. At such time that the tower ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, the owner/developer shall dismantle and remove the tower and all associated equipment from the property. (P)

(NOTE: These conditions are subject to modifications that address site-specific concerns.)

Tower Siting Policy

Guidelines for Administrative Review of Substantial Accord Determinations for Communications Tower Locations

(NOTE: Meeting these guidelines should address most of the concerns that tower siting requests typically generate. However, meeting these guidelines will not automatically address site-specific concerns or grant Substantial Accord approval. Staff may, through the administrative process, recommend that the applicant seek Planning Commission approval or recommend appropriate conditions to insure that the tower site is in Substantial Accord with the Comprehensive Plan.)

Administrative review of Substantial Accord Determinations for communications tower locations may be performed if:

- A. The tower site is zoned to permit the tower use.
- B. The tower site location and/or surrounding land uses mitigate the impact of the tower on existing and future areas of development, to include be not limited to: agriculturally zoned land identified on the Comprehensive Plan for residential use, residences on agriculturally zoned land, residentially zoned property, villages, schools, parks, community recreational facilities or similar development. Specifically, administrative review will be performed only if: a) an intermediate commercial or industrial use exists between the tower site and such development; and b) the tower meets minimum setbacks from such development. ~~of forty (40) feet plus one (1) foot for each foot the tower exceeds a height of forty five (45) feet.~~

If the tower site is located a minimum distance of 1,000 feet from residences on agriculturally zoned land, residentially zoned property, villages, schools, parks, community recreational facilities or similar development, or a minimum distance of 500 feet from agriculturally zoned land identified on the Comprehensive Plan for residential use, an intermediate commercial or industrial use will not be required.

If the tower is incorporated into the architectural treatment of a permitted use, an intermediate use or the 1,000 and 500 foot distance requirements will not be required. The tower must still comply with ~~the~~ minimum setbacks. ~~specified above.~~

- C. The tower site location and/or surrounding land uses mitigate the impact of the tower on high visibility areas, such as along major traffic corridors, near the intersections of major roads or along the James River. Administrative review will be performed only if: a) an intermediate commercial or industrial use exists between the tower site and such high visibility areas; and b) the tower meets minimum setbacks. ~~from such areas of forty (40) feet plus one (1) foot for each foot the tower exceeds a height of forty five (45) feet.~~

If the tower site is located a minimum distance of 1,000 feet from such areas, an intermediate commercial or industrial use will not be required.

If a 100 foot buffer of mature trees at an elevation that will mitigate the view of the tower is preserved between the tower and high visibility areas, an intermediate use or the 1,000 foot distance requirement will not be required. The tower must still comply with the minimum setbacks specified above. To insure that the buffer of trees will mitigate the view of the

tower, the topography of the buffer area should be at no point lower than ten (10) feet below the elevation of the base of the tower.

If the tower is incorporated into the architectural treatment of a permitted use such as, but not limited to, stadium light poles at school and parks athletic facilities, church steeples or electrical transmission structures, an intermediate use, or buffer of 1,000 feet will not be required. The tower must still comply with ~~the~~ minimum setbacks. ~~specified above.~~

(NOTE: Buffers required by Ordinance or by conditions of zoning would remain applicable.)

- D. The tower should be located and/or designed so as not to create a hazard for air navigation or affect the operations of the Chesterfield County Airport, as determined by the Director of Aviation Services.

If these criteria cannot be met, the Substantial Accord will be reviewed by the Planning Commission through the public hearing process.

(NOTE: Under the Substantial Accord Policy of Chesterfield County, the following procedures apply:

- A. An administrative finding that the tower is in Substantial Accord with the Plan must be reviewed by the Planning Commission. The Commission may affirm or vacate the finding.

If the Commission affirms the administrative finding, the tower is deemed to be in Substantial Accord with the Plan. The Board of Supervisors does not review this decision unless the decision is appealed by the applicant.

- B. If the Commission vacates the administrative finding, a public hearing will be scheduled before the Planning Commission which will then determine if the tower is in Substantial Accord with the Plan.

- C. The Commission's finding is then reviewed by the Board of Supervisors. The Board may overrule or affirm the Commission's finding or refer the matter back to the Commission for further public hearing. Also, the applicant may appeal the Commission's finding to the Board.)

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING AND RE-ENACTING SECTIONS 19-65, 19-102, 19-107.1, 19-124, 19-131, 19-173, AND 19-181 AND ADDING SECTION 19-113.1 RELATING TO COMMUNICATIONS TOWERS ALLOWED IN RESIDENTIAL, MANUFACTURED HOME, AGRICULTURAL, OFFICE, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS SUBJECT TO CERTAIN RESTRICTIONS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

- (1) *That Sections 19-65, 19-102, 19-107.1, 19-124, 19-131, 19-173, and 19-181 of the Code of the County of Chesterfield, 1997, as amended, are amended and re-enacted and Section 19-113.1 is added to read as follows:*

DIVISION 4. R-88 RESIDENTIAL DISTRICT

o o o

Sec. 19-65. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-88 District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

(d) Communications towers, provided that:

- (1) antennae are co-located on electric transmission structures.
- (2) antennae are a flush-mount design and do not exceed a height of twenty (20) feet above the height of the electric transmission structure and such height does not exceed the limitations of sections 19-507 and 19-507.2.
- (3) antennae shall be gray or another neutral color acceptable to the planning department.
- (4) any building or mechanical equipment shall comply with Emerging Growth Area Development Standards relative to architectural treatment and screening of mechanical equipment.
- (5) at such time as the antennae ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, such antennae shall be dismantled and it and all associated equipment removed from the property.

o o o

DIVISION 11. R-TH RESIDENTIAL-TOWNHOUSE DISTRICT

o o o

Sec. 19-102. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-TH District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

(c) Communications towers, provided that:

- (1) antennae are co-located on electric transmission structures.**
- (2) antennae are a flush-mount design and do not exceed a height of twenty (20) feet above the height of the electric transmission structure and such height does not exceed the limitations of sections 19-507 and 19-507.2.**
- (3) antennae shall be gray or another neutral color acceptable to the planning department.**
- (4) any building or mechanical equipment shall comply with Emerging Growth Area Development Standards relative to architectural treatment and screening of mechanical equipment.**
- (5) at such time as the antennae ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, such antennae shall be dismantled and it and all associated equipment removed from the property.**

o o o

DIVISION 12. R-MF MULTIFAMILY RESIDENTIAL DISTRICT

o o o

Sec. 19-107.1. Uses permitted with certain restrictions.

The following uses shall be permitted in the R-MF District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

(b) Communications towers, provided that:

- (1) antennae are co-located on electric transmission structures.**

- (2) antennae are a flush-mount design and do not exceed a height of twenty (20) feet above the height of the electric transmission structure and such height does not exceed the limitations of sections 19-507 and 19-507.2.
- (3) antennae shall be gray or another neutral color acceptable to the planning department.
- (4) any building or mechanical equipment shall comply with Emerging Growth Area Development Standards relative to architectural treatment and screening of mechanical equipment.
- (5) at such time as the antennae ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, such antennae shall be dismantled and it and all associated equipment removed from the property.

o o o

DIVISION 13. MH-1 MANUFACTURED OR MOBILE HOME PARK DISTRICT

o o o

Sec. 19-113.1. Uses permitted with certain restrictions.

The following uses shall be permitted in the MH-1 District subject to compliance with the following conditions and other applicable standards of this chapter. If these restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

- (a) Communications towers, provided that:
 - (1) antennae are co-located on electric transmission structures.
 - (2) antennae are a flush-mount design and do not exceed a height of twenty (20) feet above the height of the electric transmission structure and such height does not exceed the limitations of sections 19-507 and 19-507.2.
 - (3) antennae shall be gray or another neutral color acceptable to the planning department.
 - (4) any building or mechanical equipment shall comply with Emerging Growth Area Development Standards relative to architectural treatment and screening of mechanical equipment.
 - (5) at such time as the antennae ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, such antennae shall be dismantled and it and all associated equipment removed from the property.

o o o
DIVISION 15. A AGRICULTURAL DISTRICT

o o o

Sec. 19-124. Uses permitted with certain restrictions.

The following uses shall be permitted in the A District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

~~(1)~~ (a) Access to any land located in an office, business or industrial district or used for an office, business or industrial purpose, provided that the property is designated for office, business or industrial use on the comprehensive plan.

~~(2)~~ (b) Family day-care homes provided that no more than five children exclusive of the provider's own children and children who reside in the home receive care at any one time during a 24-hour day.

~~(3)~~ (c) Stock or dairy farms, including all buildings and structures necessary to such use and the keeping, storage or operation of any vehicle or machinery necessary to such use, provided that the lot or parcel has at least three acres.

(d) Communications towers, provided that:

(1) antennae are co-located on electric transmission structures.

(2) antennae are a flush-mount design and do not exceed a height of twenty (20) feet above the height of the electric transmission structure and such height does not exceed the limitations of sections 19-507 and 19-507.2.

(3) antennae shall be gray or another neutral color acceptable to the planning department.

(4) any building or mechanical equipment shall comply with Emerging Growth Area Development Standards relative to architectural treatment and screening of mechanical equipment.

(5) at such time as the antennae ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, such antennae shall be dismantled and it and all associated equipment removed from the property.

o o o

DIVISION 16. O-1 NEIGHBORHOOD OFFICE DISTRICT

o o o

Sec. 19-131. Uses permitted with certain restrictions.

The following uses shall be permitted in the O-1 District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

(i) Communications towers, provided that:

- (1) antennae are co-located on electric transmission structures.
- (2) antennae are a flush-mount design and do not exceed a height of twenty (20) feet above the height of the transmission structure supporting the high tension electrical transmission lines and such height does not exceed the limitations of sections 15-507 and 19-507.2.
- (3) antennae shall be gray or another neutral color acceptable to the planning department.
- (4) at such time as the antennae ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, such antennae shall be dismantled and it and all associated equipment removed from the property.

o o o

DIVISION 22. C-5 GENERAL BUSINESS DISTRICT

o o o

Sec. 19-173. Uses permitted with certain restrictions.

The following uses shall be permitted in the C-5 District, subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section 19-13:

o o o

(f) Communication towers, provided that such use is not located in the Eastern Midlothian Turnpike Corridor, except as specified in 19-131(i).

o o o

DIVISION 23. I-1 LIGHT INDUSTRIAL DISTRICT

o o o

Sec. 19-181. Uses permitted with certain restrictions.

The following uses shall be permitted in the I-1 District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section 19-13:

o o o

(b) Uses permitted in the C-1 District, artist material and supply stores, health clubs, messenger or telegraph services and office supply stores provided that: (1) such uses shall only be permitted in projects of 25 acres or more; (2) at no time shall such uses exceed 30 percent of the gross floor area under construction or occupied by permitted uses in such projects; (3) such uses are located internally to the project, not along any road on the periphery of the project; and (4) shall be primarily for the convenience of the employees of the industrial uses; ~~and~~.

~~(5)~~ (c) eCommunication towers, provided that the structure is architecturally incorporated into the design of a building.

(d) Communication towers, provided that:

- (1) antennae are co-located on electric transmission structures.
- (2) antennae are a flush-mount design and do not exceed a height of twenty (20) feet above the height of the transmission structure supporting the high tension electrical transmission lines and such height does not exceed the limitations of sections 15-507 and 19-507.2.
- (3) antennae shall be gray or another neutral color acceptable to the planning department.
- (4) at such time as the antennae ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, such antennae shall be dismantled and it and all associated equipment removed from the property.

~~(e)~~ (e) Schools--commercial, trade, music, dance, business, vocational and training, provided they are located on the interior of the project and not along roads located on the periphery of the project.

~~(d)~~ (f) Public and private utility uses, so long as they require a structure, to include all water and waste water pumping stations; electric, gas, communications and natural gas, liquefied petroleum gas (LPG) and petroleum products transmission facilities; in addition, natural gas, liquefied gas and petroleum products transmission facilities above and below ground, provided that

all such uses which are visible from adjacent R, R-TH, R-MF or O Districts or properties zoned Agricultural (A) and shown on the comprehensive plan as residential or office uses shall be enclosed within a structure having a style and character compatible with surrounding residential or office structures or shall be completely screened from view from such adjacent properties.

~~(e)~~ (g) Satellite dishes, provided that:

- (1) The dishes are accessory to a principal use; and
- (2) The diameter of the dish does not exceed 12 feet.

~~(f)~~ (h) Wholesale greenhouses, hot houses and nurseries provided that nothing except plant materials is stored outside of a completely enclosed building.

~~(g)~~ (i) One temporary mobile home, provided that a mobile home has been legally on the property within the past six months and the board of supervisors grants a mobile home permit to allow the use to continue.

o o o

(2) *That this ordinance shall become effective immediately upon adoption.*

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING
AND RE-ENACTING SECTION 19-507 AND ADDING SECTION 19-507.2
RELATING TO HEIGHT EXEMPTIONS AND LIMITATIONS FOR
COMMUNICATION TOWERS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Section 19-507 of the Code of the County of Chesterfield, 1997, as amended, is amended and re-enacted and Section 19-507.2 is added to read as follows:

ARTICLE VII. DEVELOPMENT STANDARDS MANUAL

DIVISION 1. DEVELOPMENT STANDARDS

Subdivision I. General Provisions – Countywide

o o o

Sec. 19-507. Height exemptions and limitations.

o o o

(f) Except for the height limits set forth in this section and the limitations of section 19-507.1 and 19-507.2, no other height limitation specified in the zoning ordinance shall apply to church spires, belfries, cupolas, domes, heat transfer units, tanks, monuments, water towers, chimneys, flues, amateur radio antennas, radio or television antennas, or similar structures having an aggregate area less than 25 percent of the ground floor building area; to the parapet walls or bulkheads extending not more than four feet above the limiting height of the building; or to grain elevators, derricks or other necessary industrial, utility or public service structures; provided that no such structure shall exceed a height as noted in the following chart:

TABLE INSET:

<i>District</i>	<i>Height</i>	<i>Comments</i>
A	150	Subject to the required yards specified in section 19-555(1) for accessory buildings and structures. No structure shall penetrate the floor of any of the zones noted in this section.
R or R-TH	50*	Subject to the required yards specified in section 19-555(1) for accessory buildings and structures. No structure shall penetrate the floor of any of the zones noted in this section. * Amateur radio antennas may be increased to a height of 75 feet in R and R-TH Districts subject to the yard requirements specified in section 19-555(1).
R-MF, O-1, or C-1	75	Subject to the required yards for principal structures of the respective zoning district. No structure shall penetrate the floor of any of the

		zones noted in this section.
Any other district	150	Subject to the required yards for principal structures of the respective zoning district. No structure shall penetrate the floor of any of the zones noted in this section.

o o o

Section 19-507.2. Height exemptions and limitations – all districts.

In areas designated on the Comprehensive Plan for rural conservation use, the height of communications towers may be increased to a height of 300 feet and in all other areas may be increased to a height of 199 feet. These increases in height are subject to yard requirements of the specific districts in which the communications towers are located.

(2) *That this ordinance shall become effective immediately upon adoption.*



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 6

Meeting Date: May 26, 2004

Item Number: 8.A.4.c.

Subject: Set Public Hearing to Consider: FY05 through FY10 Secondary Road Six-Year Improvement Plan; FY05 Secondary Road Improvement Budget; Project Development Schedules for Chesterfield Road Fund, Regional Surface Transportation Program Fund, and Congestion Mitigation Air Quality Fund; Designation of FY05 Chesterfield Road Fund Projects and FY04 Supplemental Chesterfield Road Fund Project; and Transfer of Funds

County Administrator's Comments:

Recommend June 23 for public hearing
[Signature]

County Administrator: _____

Board Action Requested: Set June 23, 2004, as the date to hold a public hearing to consider: FY05 through FY10 Secondary Road Six Year Improvement Plan; FY05 Secondary Road Improvement Budget; Project Development Schedules for Chesterfield Road Fund, Regional Surface Transportation Program Fund, and Congestion Mitigation Air Quality Fund; Designation of FY05 Chesterfield Road Fund Projects and FY04 Supplemental Chesterfield Road Fund Project; and transfer \$110,021 from the General Road Improvement Account to the Newbys Bridge Road east of Qualla Road Project.

Summary of Information: State statutes enable the Board of Supervisors to prepare and adopt, jointly with the Virginia Department of Transportation (VDOT), a Six Year Plan identifying improvements that are anticipated to be made to the Secondary Road System in the county. The Plan has been developed based on an average \$10.4 million per year allocation [\$7.5 million secondary road funds, \$1.4 million anticipated Richmond

(Continued on page 2)

Preparer: R.J. McCracken

Title: Director of Transportation
agen565

Attachments:



Yes



No

000106

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 6

Summary (Continued): Metropolitan Planning Organization (MPO) Regional Surface Transportation Program (RSTP) Funds, \$0.5 million Congestion Mitigation Air Quality (CMAQ) Funds, and \$1.0 million Chesterfield Road Funds (VDOT/county matching program)]. The \$10.4 million per year allocation represents approximately the same annual allocation that was used to develop the previous Six Year Plan. Details of the Six Year Plan are shown on Attachments A through C.

The proposed Six Year Plan includes twelve new projects. Eight of these projects are federally funded and require secondary funds for the match with the exception of the Reams Road project, which requires no matching funds. The 12 projects are:

Regional Surface Transportation Project (no match required):

- Reams Road Turn Lanes, Adkins Road to Wadsworth Drive

Highway/Rail Grade Crossing Safety Improvement Projects (10% match):

- Ramblewood Road, east of Bermuda Hundred Road
- Ramblewood Road, east of Golf Course Road

Hazard Elimination Safety Projects (10% match):

- Woolridge Road, curve south of Crown Point Road
- Beulah Road, curve near Mason Woods Drive

Congestion Mitigation Air Quality Projects (20% match):

- Courthouse Road/Route 360 Turn Lane
- Halloway Avenue Sidewalk
- Hickory Road/River Road Sidewalk, Woodpecker Road to James Street

The remaining four new projects have been added to begin design in the later years of the Plan:

- Otterdale Road, from Duval Road to Genito Road
- Beach Road, from Route 10 to Nash Road
- Newbys Bridge Road, from Falling Creek to Hagood Lane
- Qualla Road, from Beach Road to Spring Run Road

Rural Addition

In previous plans, with the exception of last year, funds (\$134,000) have been routinely included in the budget to upgrade qualifying non-state standard roads so that they can be accepted into the state road system as a rural addition. Under the rural addition program, VDOT will pay the road construction costs. The county, or others, must pay right-of-way acquisition and utility adjustment costs. In the past, rural addition projects have been selected by the Board on a case-by-case basis as requests are received from citizens. Attachment E lists the qualifying

000107

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 3 of 6

Summary (Continued): rural addition requests. Last year's Plan did not include funding for a rural addition. This year, staff again recommends the Board not select a rural addition project; and, therefore, no rural addition projects are included in the Plan.

Programs for Paving Unpaved Secondary Roads

The Code of Virginia requires that approximately 5% of statewide secondary construction funds are set aside for the paving of unpaved roads. These funds are then distributed among localities proportionately based on the number of miles of unpaved roads carrying over 50 vehicles per day (vpd) in each locality. Rhodes Lane is designated in the Plan to receive these funds (approximately \$55,000 per year).

In 1997, VDOT developed a Pave-In-Place policy for the paving of state maintained, gravel roads carrying between 50 and 750 vpd. Staff recommended against using this program. In 2003, VDOT implemented an even less restrictive Rural Rustic Road Program, for roads carrying between 50 and 500 vpd, with minimal traffic increases expected by the locality over the next 10 years. Traditionally, the county's unpaved road projects have provided a minimum 40-foot right-of-way with the road rebuilt to provide adequate shoulder and ditches. This approach is in contrast to the Pave-In-Place and Rural Rustic Road programs, which involve very little to no improvements to the road other than the hard surface. Since most of the county's unpaved roads are expected to carry more than 750 vpd, staff recommends that the Board not participate in the Pave-In-Place or the Rural Rustic Road programs.

Chesterfield Road Fund Projects

The county regularly participates in an annual VDOT matching fund program (Chesterfield Road Fund), wherein the county provides \$500,000 in anticipation of an equal match (dollar-for-dollar basis) by VDOT. The exact amount of funds to be matched by VDOT is determined by VDOT after all statewide requests for matching funds have been received. Funding for the Chesterfield Road Fund projects is provided on a rotational basis among the magisterial districts. VDOT has determined \$481,559 is the maximum funds Chesterfield will receive in FY05. VDOT has also advised \$110,021 is available in FY04 Supplemental Funds.

Matoaca Road/Woodpecker Road intersection and Newbys Bridge Road east of Qualla Road are designated to receive funding in FY05 (\$102,370 and \$397,630, respectively). The county's FY05 budget includes \$500,000 for Chesterfield's local match. Newbys Bridge Road east of Qualla Road is

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**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 4 of 6

Summary (Continued): also designated to receive the FY04 Supplemental local match, \$110,021. Staff recommends the \$110,021 match be transferred from the General Road Improvement Account.

Regional Surface Transportation Program (RSTP) Project Development Schedule

The Metropolitan Planning Organization (MPO) is given the authority to select/approve projects to be funded from RSTP funds. The Richmond MPO receives approximately \$11.0 million each year in RSTP funds. The Tri-Cities MPO became eligible for RSTP funds in 2003 and anticipates receiving \$1.6 million annually. Chesterfield anticipates receiving approximately \$1.4 million annually in RSTP funds. Attachment C identifies the recommended RSTP Fund Project Development Schedule.

Congestion Mitigation Air Quality (CMAQ) Project Development Schedule

The Metropolitan Planning Organization (MPO) is given the authority to select/approve projects to be funded from CMAQ funds. The Richmond MPO receives approximately \$4.3 million each year in CMAQ funds. The Tri-Cities MPO receives approximately \$0.32 million each year in CMAQ funds. Chesterfield anticipates receiving approximately \$0.5 million annually in CMAQ funds. Attachment C identifies the recommended CMAQ Project Development Schedule.

FY05 Secondary Road Improvement Budget

Each year VDOT requests the Board of Supervisors to approve a Secondary Road Improvement Budget. The budget reflects the first year of the Six Year Plan and identifies specific project allocations for the fiscal year. Attachment D identifies the projects and allocations for FY05.

Recommendation: Staff recommends the Board set June 23, 2004, as the date for a public hearing to consider:

1. Adopting the attached resolutions approving: the FY05 through FY10 Secondary Road Six Year Improvement Plan; the FY05 Secondary Road Improvement Budget; designating Matoaca Road/Woodpecker Road and Newbys Bridge Road east of Qualla Road as the FY05 Chesterfield Road Fund Projects; and Newbys Bridge Road east of Qualla Road as the FY04 Supplemental Chesterfield Road Fund Project.
2. Designating the FY05 Road Fund Projects Account as follows: \$102,370 for the Matoaca Road/Woodpecker Road Project and \$397,630 for the Newbys Bridge Road east of Qualla Road Project, and designating the FY04 Supplemental Road Fund (\$110,021) to the Newbys Bridge Road east of Qualla Road Project after July 1, 2004.

000109

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 5 of 6

Summary (Continued):

3. Transferring \$110,021 from the General Road Improvement Account to the Newbys Bridge Road east of Qualla Road Project.

4. Approving the FY05 through FY10 Chesterfield Road Fund Project Development Schedule, the FY05 through FY10 Regional Surface Transportation Project Development Schedule, and the FY05 through FY10 Congestion Mitigation Air Quality Transportation Project Development Schedule.

5. Authorizing the County Administrator to enter into the customary VDOT/county/consultant/contractor, design, right-of-way acquisition, and/or construction agreements, acceptable to the County Attorney, for the projects indicated in the Plan.

District: Countywide

000110



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 6 of 6

Meeting Date: May 26, 2004

Budget and Management Comments:

This request is to set a public hearing for June 23, 2004 on the Six Year Secondary Road Improvement Plan and designate \$500,000 as follows: \$102,370 for Matoaca/Woodpecker Road intersection and \$397,630 for the Newbys Bridge Road, east of Qualla Road improvements. Funding for this match was appropriated in the FY2005 capital improvement budget. Also being requested is a transfer of \$110,021 from the General Road Improvements Account for Newbys Bridge Road, east of Qualla Road as an FY2004 supplemental project. These funds are available to transfer from the General Road Improvements Account.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000111

WHEREAS, the Chesterfield County Board of Supervisors and the Virginia Department of Transportation (VDOT) have conducted a public hearing on the FY05 through FY10 Secondary Road Six Year Improvement Plan; and

WHEREAS, the Board concurs with the proposed projects identified in the Plan.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors approves the FY05 through FY10 Six Year Secondary Road Improvement Plan as presented by VDOT.

WHEREAS, the Virginia Department of Transportation (VDOT) has submitted its proposed FY05 Secondary Road Improvement Budget to the county; and

WHEREAS, the Budget represents the implementation of the first year of the FY05 through FY10 Six Year Improvement Plan adopted by the Board.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors approves the FY05 Secondary Road Improvement Budget as presented by VDOT.

WHEREAS, Section 33.1-75.1 of the Code of Virginia permits the Commonwealth Transportation Board to make an equivalent matching allocation to any county for designation by the governing body up to \$500,000 of funds received by it during the current fiscal year pursuant to the "State and Local Fiscal Assistance Act of 1972" for use by the Commonwealth Transportation Board to construct, maintain, or improve primary and secondary highway systems within such county;

WHEREAS, the Chesterfield County Board of Supervisors has appropriated \$500,000 for the Chesterfield Road Fund with the adoption of the FY05 Appropriation Resolution;

WHEREAS, the Virginia Department of Transportation (VDOT) has notified the county that \$481,559 is the maximum amount of Chesterfield County funds that will be matched by the state during FY05.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors appropriates \$500,000 for the FY05 Chesterfield Road Fund (Revenue Sharing Program).

BE IT FURTHER RESOLVED, that the matched funds shall be allocated to the following projects:

\$204,740	Matoaca Road/Woodpecker Road Preliminary Engineering, Right-of-way, and Construction (\$102,370 VDOT and \$102,370 county)
\$776,819	Newbys Bridge Road east of Qualla Road Preliminary Engineering, Right-of-way and Construction (\$379,189 VDOT and \$397,630 county)

WHEREAS, Section 33.1-75.1 of the Code of Virginia permits the Commonwealth Transportation Board to make an equivalent matching allocation to any county for designations by the governing body of up to \$500,000 of funds for use by the Commonwealth Transportation Board to construct, maintain, or improve primary and secondary highway systems within such county; and

WHEREAS, the Virginia Department of Transportation (VDOT) has notified the county that \$110,021 is the maximum amount of Chesterfield County funds that will be matched by the state as a supplemental FY04 allocation.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors has allocated \$110,021 from the General Road Improvements Account for the FY04 Supplemental Allocation Program and requests VDOT to provide an equivalent match.

AND, BE IT FURTHER RESOLVED, that the FY04 Supplemental Matched Funds be allocated for the following project:

\$220,042 Newbys Bridge Road east of Qualla Road
 Preliminary Engineering,
 Right-of-way and Construction
 (\$110,021 VDOT and \$110,021 county)

INDEX OF ATTACHMENTS

- Attachment A - Proposed Secondary Road Six Year Projects by Magisterial Districts
- Attachment B - Proposed Chesterfield Road Fund Project Development Schedule
- Attachment C - Regional Surface Transportation Program Fund Project Development Schedule (RSTP)
Congestion Mitigation Air Quality Project Development Schedule (CMAQ)
- Attachment D - Proposed FY05 Secondary Road Improvement Budget
- Attachment E - Qualifying Rural Addition Road Request

**PROPOSED SECONDARY ROAD SIX YEAR PROJECTS
FY05 THROUGH FY10
BY MAGISTERIAL DISTRICT**

PROJECT	FROM	TO	DESCRIPTION	START CONSTRUCTION
BERMUDA				
COXENDALE RD	I - 95	OLD STAGE RD	R/R CROSSING GATES	SUMMER 2004
DUNDAS RD	STRATHMORE RD	INTERSECTION	TURN LANES	SPRING 2005
* RAMBLEWOOD DR	0.39 MI. E OF GOLF COURSE RD		R/R CROSSING	SUMMER 2005
* RAMBLEWOOD DR	0.39 MI. E OF OLD BERMUDA HUNDRED RD		R/R CROSSING	SUMMER 2005
CHALKLEY RD	N. OF GRAVEL NECK DR	-	IMPROVE CURVE	SPRING 2006
BRANDERS BRIDGE RD	CARVER HEIGHTS DR	BRADLEY BRIDGE RD	SHOULDERS	SPRING 2007
BRANDERS BRIDGE RD	BRADLEY BRIDGE RD	S. HAPPY HILL RD	IMPROVE 2 LANE	BEYOND PLAN
BRANDERS BRIDGE RD	N. OF WHITEHOUSE RD	-	IMPROVE CURVE	TEMP DEFERRED
CLOVER HILL				
** GENITO RD	WOOLRIDGE RD	INTERSECTION	TURN LANES	COMPLETE
NEWBYS BRIDGE RD	DORTONWAY DR	INTERSECTION	IMPROVE CURVE	SPRING 2006
NEWBYS BRIDGE RD	WALMSLEY BLVD	FALLING CREEK BR	IMPROVE 2 LANE	SPRING 2010
* REAMS ROAD	ADKINS RD	WADSWORTH DR	TURN LANES	TO BE DETERMINED
* COURTHOUSE RD	HULL STREET ROAD	INTERSECTION	TURN LANE	TO BE DETERMINED
DALE				
SALEM CHURCH RD	KINGSLAND RD	BEULAH RD	IMPROVE 2 LANE	UNDER CONST
HOPKINS RD	WEST OF OLD LANE		IMPROVE SIGHT DISTANCE	SPRING 2005
NEWBYS BRIDGE RD	QUALLA RD	0.35 MI. E. QUALLA RD	WIDEN 2 LANE	SUMMER 2005
COURTHOUSE RD	N. OF YATESDALE DR	-	IMPROVE CURVE	SPRING 2006
NASH RD	APPLEWHITE LANE	FIRST BRANCH BLVD	IMPROVE 2 LANE	SUMMER 2008
* BEACH ROAD	RTE 10	NASH RD	WIDEN 4 LANE	BEYOND PLAN
* NEWBYS BRIDGE RD	FALLING CREEK BRIDGE	HAGOOD LA	IMPROVE 2 LANE	BEYOND PLAN
* BEULAH RD	CURVE AT MASON WOODS		SHOULDERS	TO BE DETERMINED
MATOACA				
** GENITO RD	WOOLRIDGE RD	INTERSECTION	TURN LANES	COMPLETE
HICKORY RD	SOUTHLAWN AVE	OLDTOWN CREEK	REALIGNMENT	FALL 2004
MATOACA RD	WOODPECKER RD	INTERSECTION	TURN LANES	SPRING 2005
* HALLOWAY AVE	MATOACA MIDDLE SCHOOL	MATOACA PARK	CURB/SIDEWALKS	SPRING 2005
LAKEVIEW RD	WOODPECKER RD	INTERSECTION	TURN LANES	SPRING 2005
BAILEY BRIDGE RD	DEER RUN DR	SPRING RUN RD	SHOULDERS	SPRING 2005
BAILEY BRIDGE RD	W. OF HOLLY VIEW PKY		IMPROVE CURVE	SPRING 2006
BAILEY BRIDGE RD	BATTLECREEK DR	TURNERVILLE RD	IMPROVE CURVE	SPRING 2006
QUALLA RD	BELCHERWOOD RD	INTERSECTION	IMPROVE CURVE	SPRING 2006
SPRING RUN RD	MCENNALLY RD	BAILEY BRIDGE RD	REALIGN CURVES	FALL 2007
BAILEY BRIDGE RD	CLAYPOINT RD	MANCHESTER H.S.	IMPROVE 2 LANE	SPRING 2008
RHODES LA	0.5 MI. S. WOODPECKER RD	0.7 MI. W. SANDY FORD RD	PAVE GRAVEL RD	BEYOND PLAN
* OTTERDALE RD	DUVAL RD	GENITO RD	IMPROVE 2 LANE	BEYOND PLAN
* QUALLA RD	BEACH RD	SPRING RUN RD	IMPROVE 2 LANE	BEYOND PLAN
* WOOLRIDGE RD	CURVE S. OF CROWN POINT		IMPROVE CURVE	TO BE DETERMINED
* HICKORY RD/RIVER RD	WOODPECKER RD	JAMES STREET	VSU SIDEWALK	TO BE DETERMINED
MIDLOTHIAN				
OLD BON AIR ROAD	IRON MILL RD	GROUNDHOG DR	IMPROVE 2 LANE	UNDER CONST
OLD BUCKINGHAM RD	MILL FOREST DR	OLDE COALMINE RD	IMPROVE 2 LANE	SUMMER 2004
OLD BUCKINGHAM RD	UNISON DRIVE	INTERSECTION	TURN LANES	SUMMER 2004
FOREST HILL AVE	BUFORD RD	INTERSECTION	STREET LIGHTS	SPRING 2005
FOREST HILL AVE	BUFORD RD	INTERSECTION	SIDEWALK	SPRING 2005

* NEW PROJECT ADDED TO PLAN

** PROJECT LOCATED IN MULTIPLE DISTRICTS

V:\NEWCOMBS\6 YR 05-10 ALLOCATION\MAGISTERIAL DISTRICT
4/29/2004

Attachment A

000117

**PROPOSED CHESTERFIELD ROAD FUND
PROJECT DEVELOPMENT SCHEDULE
FY 05 THROUGH FY 10**

		PREVIOUS ALLOCATION		PROJECTED ALLOCATIONS						
PROJECT / DISTRICT	DESCRIPTION/ LOCATION	FY 04	FY03 SUPPL	FY 05	FY04 SUPPL	FY 06	FY 07	FY 08	FY 09	FY 10
OLD BUCKINGHAM RD MIDLOTHIAN	WIDEN 2 LANES FR: MILL FOREST DRIVE TO: S. OF OLDE COALMINE RD	\$399,830 \$199,915 \$199,915								
MATOACA RD / WOODPECKER RD MATOACA	TURN LANES	\$600,170 \$300,085 \$300,085	\$195,090 \$100,000 \$95,090	\$204,740 \$102,370 \$102,370						
NEWBYS BRIDGE RD DALE	WIDEN 2 LANE FR: QUALLA RD TO: 0.35 MI. E. OF QUALLA			\$776,819 \$397,630 \$379,189	\$220,042 \$110,021 \$110,021	\$3,139 \$1,570 \$1,570				
BRANDERS BRIDGE RD BERMUDA	WIDEN 2 LANES FR: BRADLEY BRIDGE RD TO: SOUTH HAPPY HILL RD					\$996,861 \$498,431 \$498,431	\$3,139 \$1,570 \$1,570			
NEWBYS BRIDGE RD CLOVER HILL	WIDEN 2 LANES FR: WALMSLEY BLVD TO: FALLING CREEK BRIDGE						\$996,861 \$498,431 \$498,431	\$3,139 \$1,570 \$1,570		
PROJECT TO BE DETERMINED AT A LATER DATE MIDLOTHIAN								\$996,861 \$498,431 \$498,431	\$3,139 \$1,570 \$1,570	
PROJECT TO BE DETERMINED AT A LATER DATE MATOACA									\$996,861 \$498,431 \$498,431	\$3,139 \$1,570 \$1,570
PROJECT TO BE DETERMINED AT A LATER DATE DALE										\$996,861 \$498,431 \$498,431
TOTAL FUNDS		\$1,000,000	\$195,090	\$981,559	\$220,042	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
COUNTY MATCH		\$500,000	\$100,000	\$500,000	\$110,021	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000
VDOT MATCH		\$500,000	\$95,090	\$481,559	\$110,021	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000

Attachment B

000118

RSTP
REGIONAL SURFACE TRANSPORTATION PROGRAM FUND
PROJECT DEVELOPMENT SCHEDULE
FY 05 THROUGH FY 10
(IN THOUSANDS)

PROJECT / DISTRICT	DESCRIPTION/ LOCATION	PREVIOUS ALLOCATION FY 04	PROJECTED ALLOCATIONS						
			FY 05	FY 06	FY07	FY 08	FY 09	FY 10	
NASH RD DALE	WIDEN 2 LANE FR: APPLEWHITE LN TO FIRST BRANCH BLVD	\$308	\$678	\$1,561	\$1,475				
REAMS RD CLOVER HILL	CONSTRUCT TURN LANES AT: WADSWORTH, ROSEGILL, ARCH HILL, ADKINS						\$1,500	\$1,500	\$1,500
		\$308	\$678	\$1,561	\$1,475	\$1,500	\$1,500	\$1,500	

CMAQ
CONGESTION MITIGATION AIR QUALITY FUND
PROJECT DEVELOPMENT SCHEDULE
FY 05 THROUGH FY 10
(IN THOUSANDS)

PROJECT / DISTRICT	DESCRIPTION/ LOCATION	PREVIOUS ALLOCATION FY 04	PROJECTED ALLOCATIONS						
			FY 05	FY 06	FY07	FY 08	FY 09	FY 10	
COURTHOUSE RD CLOVER HILL	SB RIGHT TURN RELIEF AT: ROUTE 360	\$182	\$14	\$254	\$693	\$500	\$500	\$500	
CHESTER RD BERMUDA	TURN LANES AND SIGNAL AT: KINGSDALE RD			\$278					
ROUTE 10 DALE	RIGHT TURN LANE AT: LEWIS RD			\$50					
* MATOACA RD / WOODPECKER RD MATOACA	TURN LANES, REALIGN CURVE		\$160						
* HALLOWAY AVE MATOACA	SIDEWALK FR: HICKORY RD TO: MATOACA MIDDLE SCHOOL	\$333							
* HICKORY RD / RIVER RD MATOACA	SIDEWALKS FR: WOODPECKER RD TO: JAMES ST		\$140						
		\$515	\$314	\$582	\$693	\$500	\$500	\$500	

Competitive funds from the Richmond Regional and Tri-Cities MPOs. Tri-Cities funds noted with an asterisk (*).

NEWCOMB551005.10CMAQGRSTP05.10

PROPOSED FY 05 SECONDARY ROAD IMPROVEMENT BUDGET

PROJECT	FROM	TO	DESCRIPTION	ALLOCATION
COUNTYWIDE UNFORESEEN ITEMS	VARIOUS LOCATIONS	-	MISC	\$165,000
COUNTYWIDE PREL ENGR	VARIOUS LOCATIONS	-	MISC	\$112,000
COUNTYWIDE RIGHT OF WAY ENGR	VARIOUS LOCATIONS	-	MISC	\$58,000
COUNTY WIDE ENTRANCE PIPES	VARIOUS LOCATIONS	-	MISC	\$0
GENITO RD	WOOLRIDGE RD	INTERSECTION	TURN LANES	\$332,684
OLD BUCKINGHAM RD	MILL FOREST DR	OLDE COALMINE RD	IMPROVE 2 LANE	\$358,400
HICKORY RD	SOUTHLAWN AVE	OLDTOWN CREEK	REALIGNMENT	\$782,700
FOREST HILL AVE	BUFORD RD	INTERSECTION	STREET LIGHTS	\$219,229
FOREST HILL AVE	BUFORD RD	INTERSECTION	SIDEWALK	\$2,084,569
HALLOWAY AVE	MATOACA MIDDLE SCHOOL	MATOACA PARK	SIDEWALK	\$83,250
LAKEVIEW RD	WOODPECKER RD	INTERSECTION	TURN LANES	\$472,540
* RAMBLEWOOD DR	0.39 MI. E OF GOLF COURSE RD		R/R CROSSING	\$4,000
* RAMBLEWOOD DR	0.39 MI. E OF OLD BERMUDA HUNDRED RD		R/R CROSSING	\$3,400
NEWBYS BRIDGE RD	QUALLA RD	0.5 MI. E. QUALLA RD	IMPROVE 2 LANE	\$221,900
SPRING RUN RD	MCENNALLY RD	BAILEY BRIDGE RD	REALIGN CURVES	\$1,000,000
BAILEY BRIDGE RD	CLAYPOINT RD	MANCHESTER H.S.	IMPROVE 2 LANE	\$604,291
NASH RD	APPLEWHITE LANE	FIRST BRANCH BLVD	IMPROVE 2 LANE	\$274,000
RHODES LANE	0.5 MI. S. WOODPECKER RD	0.7 MI. W. SANDY FORD RD	PAVE GRAVEL RD	\$55,793
* COURTHOUSE RD	HULL STREET ROAD	INTERSECTION	TURN LANE	\$608,018
TOTAL				\$7,439,774

* NEW PROJECT ADDED TO PLAN

QUALIFYING RURAL ADDITION ROAD REQUESTS

DISTRICT	ROADWAY	NUMBER OF HOMES	EXISTING RIGHT OF WAY	LENGTH IN FEET	VDOT COST	COUNTY COST
MATOACA	WILD TURKEY ROAD	7	50' R/W	1,000	\$150,000	\$35,000
MATOACA	TURNERVILLE ROAD	5	50' R/W	1,000	\$150,000	\$35,000
BERMUDA	OMAHA STREET	6	40' R/W	850	\$200,000	\$35,000
CLOVER HILL	UNNAMED ROAD, 600 COURTHOUSE RD	8	50' R/W	1,800	\$400,000	\$35,000
MIDLOTHIAN	TOWER LIGHT ROAD	7	30' & 50' R/W	1,400	\$300,000	\$35,000
MIDLOTHIAN	FRAMEWAY ROAD	5	30' R/W	1,200	\$300,000	\$35,000
MATOACA	PRIVATE ROAD, 17101 MIDLOTHIAN TPK	4	PRIVATE	800	\$300,000	\$35,000
MATOACA	BELCHERS LANE	6	PRIVATE	700	\$130,000	\$35,000
MATOACA	PRIVATE ROAD, 19600 CHURCH ROAD	6	PRIVATE	2,500	\$300,000	\$35,000
MATOACA	PRIVATE ROAD, 19003 CHURCH RD	4	PRIVATE	1,000	\$150,000	\$35,000
BERMUDA	CURTIS CIRCLE	3	40' R/W	500	\$50,000	\$35,000

Attachment E

000121



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: May 26, 2004

Item Number: 8.A.5.

Subject:

Request of Substance Abuse Free Environment, Incorporated (SAFE) for a Music/Entertainment Festival Permit for Bandfest: School's Out on June 18, 2004

County Administrator's Comments:

Recommend Approval

County Administrator: _____

SLM

Board Action Requested:

The Board of Supervisors is requested to grant a music/entertainment festival permit for SAFE for June 18, 2004.

Summary of Information:

SAFE proposes to conduct an outdoor Bandfest: School's Out on Friday, June 18, 2004 to provide proceeds to promote SAFEs' mission of providing safe, alcohol and drug free events for teens. The event will include a number of local teen bands, games and other forms of entertainment are planned to occur outside at the Southside Church of the Nazarene, 6851 Courthouse Rd. in Chesterfield. In case of rain the event will be moved indoors. The proceeds will go to SAFE. Admission tickets will be sold for \$5.00 at the door. There will not be any advance ticket sales. The event will begin at 6:00 p.m. and end at 10:00 p.m. Event attendance will be capped at 1500 persons.

Preparer: _____ Steve L. Micas

Title: County Attorney
0505:65194.1

Attachments:

☐

Yes

☒

No

000122

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

SAFE is contracting caterers to provide food.

The music/entertainment arrangements have been reviewed by the County Attorney's Office and meet the substantive requirements of the ordinance. These arrangements provide adequate measures to insure public safety, fire prevention, medical protection, sanitation, traffic control, parking, insurance coverage and security.

Although the Board of Supervisors may require a bond to insure compliance with the permit, the Board traditionally has not required a bond except when the event occurs on County property. Staff recommends that the Board not require a bond.

0505:65194.1

000123



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.6.

Subject:

Request for a Permit to Stage a Fireworks Display for Comcast's Fourth of July Celebration at the Chesterfield County Fairgrounds on July 4, 2004

County Administrator's Comments: *Recommend Approval*

County Administrator: *[Signature]*

Board Action Requested:

The Board of Supervisors is requested to approve a permit to stage a fireworks display at the Chesterfield County Fairgrounds on July 4, 2004.

Summary of Information:

The Chesterfield County Parks and Recreation Department has requested permission from the Board of Supervisors to stage a fireworks display at the Chesterfield County Fairgrounds on July 4, 2004, with no rain date. The Parks and Recreation Department has conducted similar displays on the same property each year for the last fourteen years without incident. The fireworks supplier, Dominion Fireworks, Inc., has obtained a liability insurance policy naming the County of Chesterfield as an additional insured party in the amount of \$2,000,000, which has been approved by Risk Management. The Fire Marshal has reviewed this fireworks request and indicates that it meets the criteria under the Fire Prevention Code. The cost of the fireworks event for this year's program will be paid by donations from sponsors in the private sector. A list of sponsors who have committed to supporting this year's celebration is attached.

Preparer: Steven L. Micas

Title: County Attorney
0505:65180.1

Attachments:



Yes



No

#000124

Application for Fireworks Display
(Print or Type All Information)

Date of Application: 4/21/04

Event Name: Comcast's Fourth of July Date: 7/4/04

Time of Fireworks: 9pm Celebration Rain Date: N/A

Event Location: Chesterfield Fairgrounds

Shooting site/Display area: horse ring area
(include map)

Sponsoring Organization: Chesterfield Parks & Recreation

Person In Charge of Event: Dave Caras

Mailing Address: PO Box 40

City: Chesterfield State: VA Zip: 23832

Work Phone: (804) 748-1132 Home Phone: _____

Person Coordinating Fireworks: Dave Caras / Bill Vangils
(for the sponsor)

Mailing Address: PO Box 40

City: Chesterfield State: VA Zip: 23832

Work Phone: 748-1132 Home Phone: _____

Company Responsible for Shooting: Dominion Fireworks

Mailing Address: P.O. Box 3015

City: Petersburg State: VA Zip: 23805-3015

Work Phone: 877-822-7236 After Hours: _____

Shooters Name: Glen Dean

000125

1. Attach a list of fireworks to be used in the display.

- Chesterfield Fire Department
Fire and Life Safety
P. O. Box 40
Chesterfield, VA 23832**

Print Name: Dave Caras

(office use only)

Remarks: No changes from previous years.
All safeguards will be implemented as in the past.

Site suitable for display pending County Attorney and Board of Supervisors approval.

Site unsuitable.

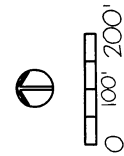
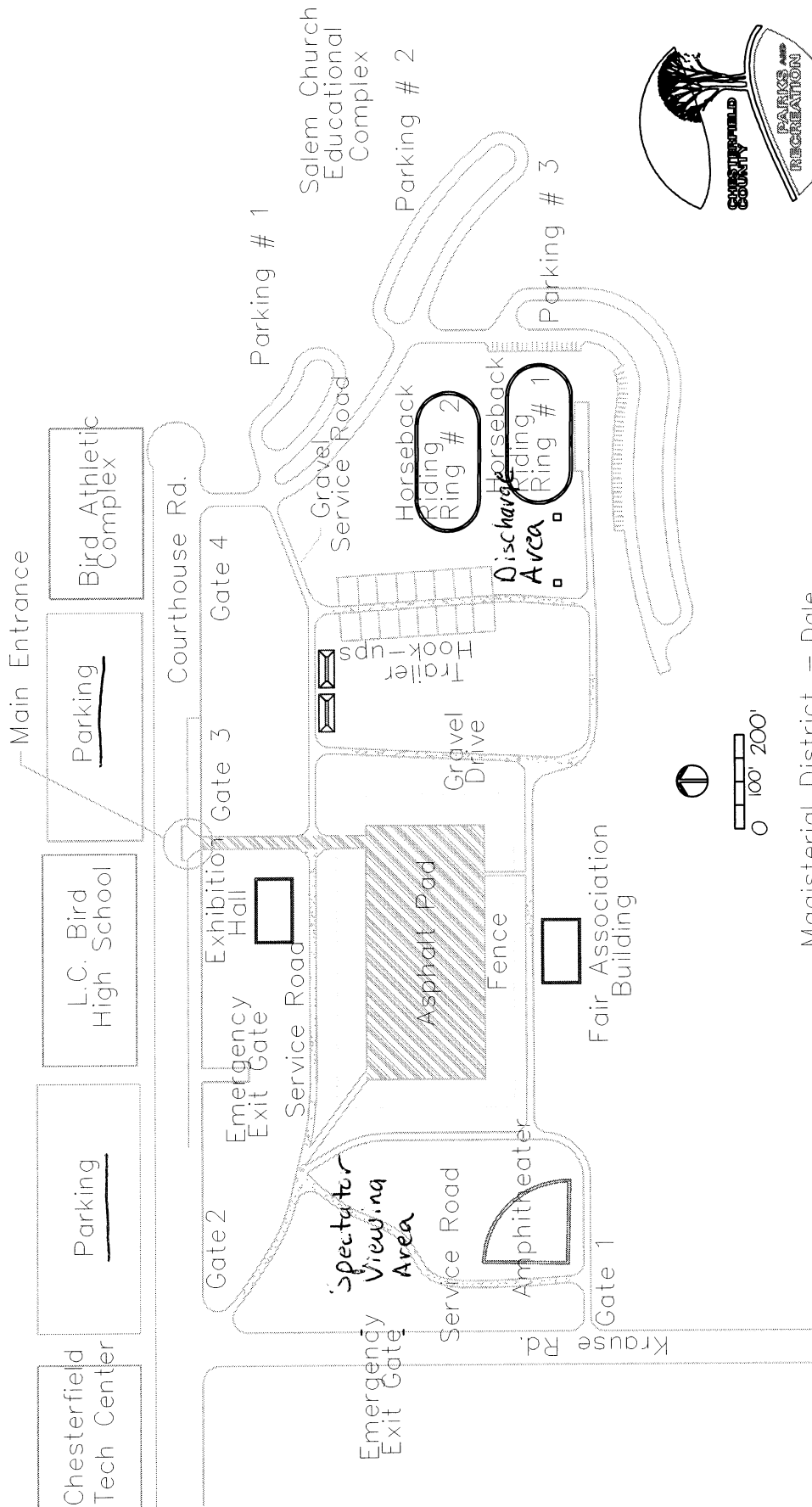
Event Representative: _____ Date: _____

000126

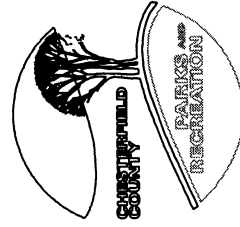
Shelter Reservation: 751-4696
 Program Registration: 748-1623
 Fairgrounds Reservations: 748-1126

Park Maintenance: 271-7554
www.co.chesterfield.va.us

CHESTERFIELD COUNTY FAIRGROUNDS 10300 Courthouse Road



Magisterial District - Dale
 Maintenance District II
 GIP No.740717275700000



Date 8/14/00



**CHESTERFIELD COUNTY
JULY 4, 2004**

INVENTORY OF FIREWORK PROGRAM

300 3 INCH ASSORTED COLOR SHELLS

135 4 INCH ASSORTED COLOR & EFFECT SHELLS

70 5 INCH ASSORTED COLOR & EFFECT SHELLS

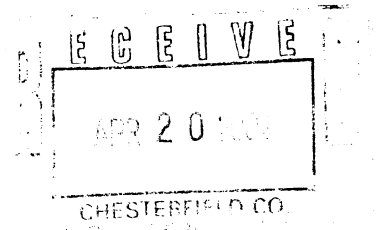
69 6 INCH ASSORTED COLOR & EFFECT SHELLS

GRAND FINALE

THE GRAND FINALE WILL CONSIST OF 350 3 INCH ASSORTED COLOR AND
LOUD SALUTE TYPE SHELLS.

DURATION	: 15 MINUTES
INSURANCE LIMITS	: FIVE MILLION DOLLARS
PRICE	: \$11,236.00

**DOMINION FIREWORKS, INC.
ESTABLISHED 1984**



000128

CHESTERFIELD COUNTY PURCHASING DEPARTMENT
CONTRACT PRICING/INFORMATION SHEET

Dominion Fireworks, Inc.
P. O. Box 3015
Petersburg, VA 23805-3015

Phone: (804) 733-6792
Fax: (804) 732-3866
Contact: W. G. Bulifant III
Terms: Net
F.O.B.: Chesterfield, VA
Delivery: As Required

CONTRACT SUBJECT: Fireworks Contractor
CONTRACT PERIOD: July 1, 2004 through June 30, 2005
(Fourth of Five Terms)
CONTRACT NUMBER: 00-5209-8424

Contractor to provide fireworks and related services per RFP #00-5209-8424 and contractor's proposal dated 9/13/00.

Fee: Negotiable, to be determined

Pricing is firm during contract period.

If there are any questions regarding this contract, please contact Marty Franciscus, Senior Contract Administrator, at 748-1703.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**


Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.7.

Subject: State Road Acceptance

County Administrator's Comments:

County Administrator: _____ 

Board Action Requested:

Summary of Information:

Clover Hill: Adkins Ridge, Section 1

Dale: Hollymeade, Section D and a portion of Section C

Matoaca: Birkdale, Section 16
Edgewater at the Reservoir, Section 1
John Winston Jones Parkway and Matoaca High School Bus Loop
Springford Parkway and Spring Run Elementary School Bus Loop

Midlothian: Coalbrook at the Grove, Section 4
Kingham at the Grove, Section 4
Krim Point at the Grove, Section 2

Preparer: Richard M. McElfish

Title: Director, Environmental Engineering

Attachments:



Yes



No

#

000130

TO: Board of Supervisors

FROM: Department of Environmental Engineering

SUBJECT: State Road Acceptance - ADKINS RIDGE, SEC. 1

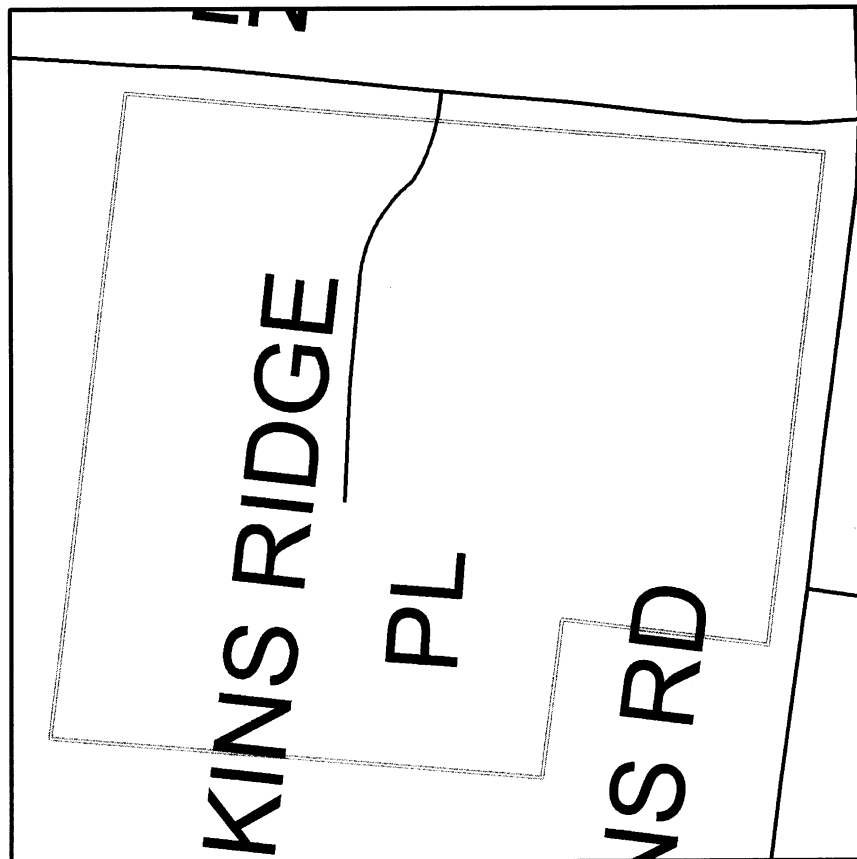
DISTRICT: CLOVER HILL

MEETING DATE: 26 May 2004

ROADS FOR CONSIDERATION:

ADKINS RIDGE PL

Vicinity Map: ADKINS RIDGE, SEC. 1



000131

TO: Board of Supervisors

FROM: Department of Environmental Engineering

SUBJECT: State Road Acceptance - HOLLYMEADE, SEC D and a portion of SEC C

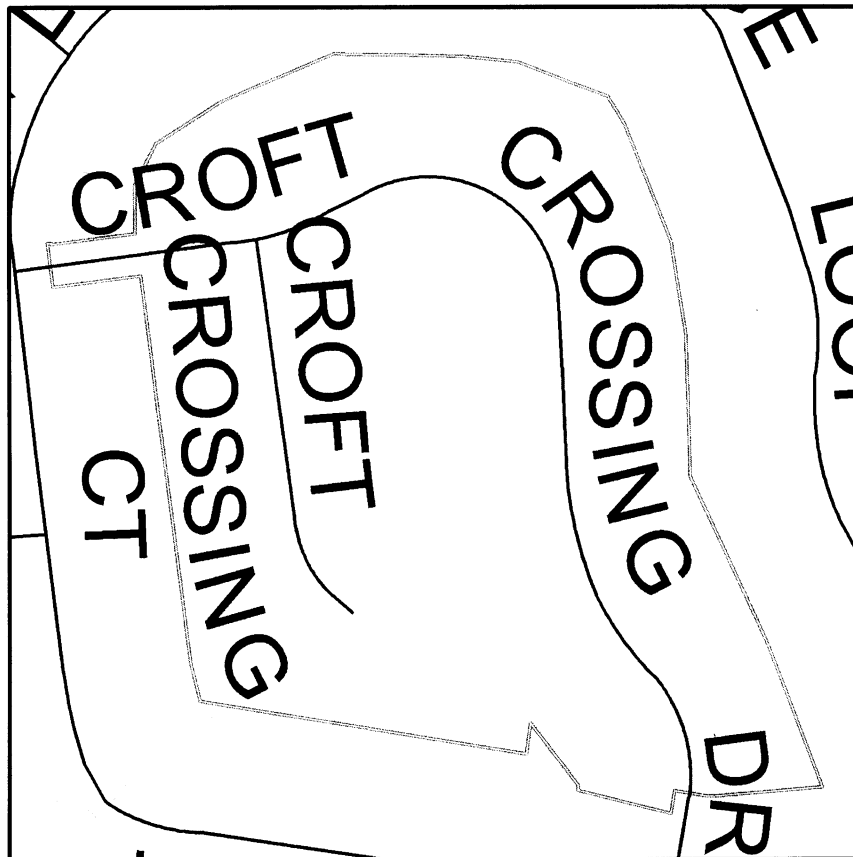
DISTRICT: DALE

MEETING DATE: 26 May 2004

ROADS FOR CONSIDERATION:

CROFT CROSSING CT
CROFT CROSSING DR

Vicinity Map: HOLLYMEADE, SEC D and a portion of SEC C



TO: Board of Supervisors

FROM: Department of Environmental Engineering

SUBJECT: State Road Acceptance - BIRKDALE, SEC 16

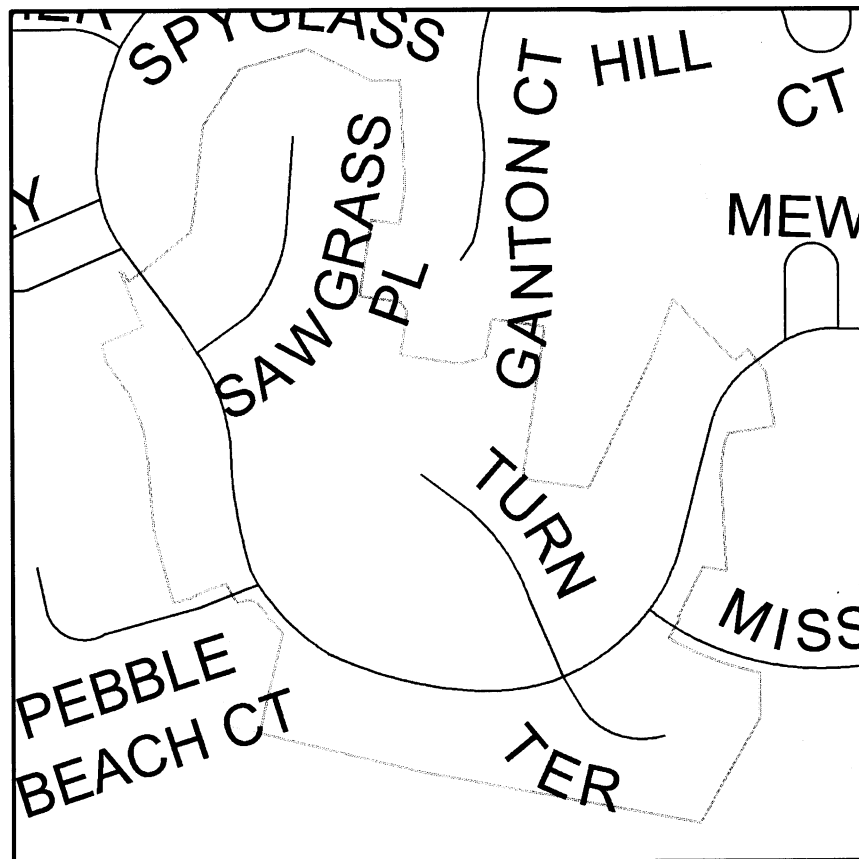
DISTRICT: MATOACA

MEETING DATE: 26 May 2004

ROADS FOR CONSIDERATION:

SAWGRASS PL
SPYGLASS HILL CIR
SPYGLASS HILL TER
SPYGLASS HILL TURN

Vicinity Map: BIRKDALE, SEC 16



000133

TO: Board of Supervisors

FROM: Department of Environmental Engineering

SUBJECT: State Road Acceptance - EDGEWATER AT THE RESERVOIR, SEC. 1

DISTRICT: MATOACA

MEETING DATE: 26 May 2004

ROADS FOR CONSIDERATION:

SHOREWOOD CT
SHOREWOOD LN
SHOREWOOD PL

Vicinity Map: EDGEWATER AT THE RESERVOIR, SEC. 1



000134

TO: Board of Supervisors

FROM: Department of Environmental Engineering

SUBJECT: State Road Acceptance - John Winston Jones Pkwy and Matoaca High School Bus Loop

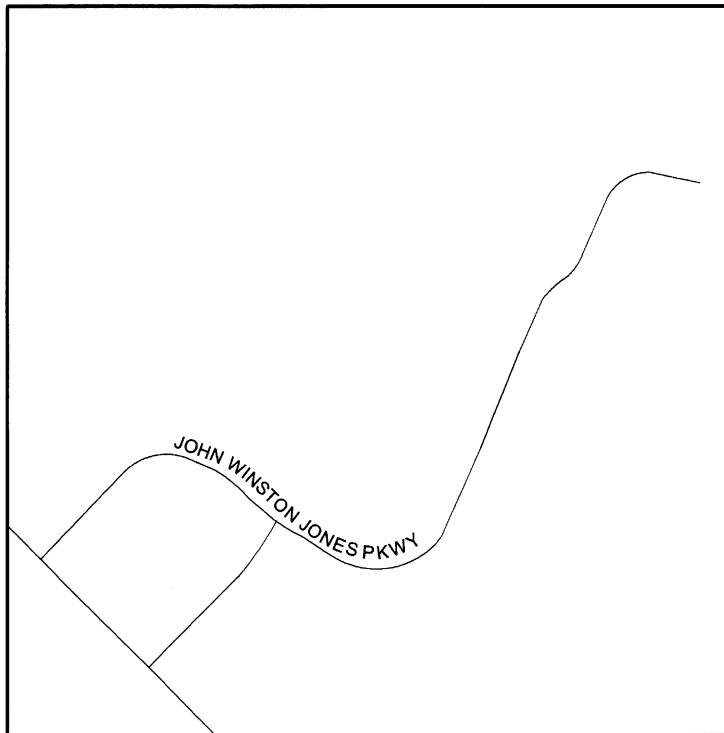
DISTRICT: MATOACA

MEETING DATE: 26 May 2004

ROADS FOR CONSIDERATION:

JOHN WINSTON JONES PKWY

Vicinity Map: John Winston Jones Pkwy and Matoaca High School Bus Loop



Produced By Chesterfield County GIS

000135

TO: Board of Supervisors

FROM: Department of Environmental Engineering

SUBJECT: State Road Acceptance - Springford Pkwy and Spring Run Elementary School Bus Loop

DISTRICT: MATOACA

MEETING DATE: 26 May 2004

ROADS FOR CONSIDERATION:

SPRINGFORD PKWY

Vicinity Map: Springford Pkwy and Spring Run Elementary School Bus Loop



Produced By Chesterfield County GIS

000136

TO: Board of Supervisors

FROM: Department of Environmental Engineering

SUBJECT: State Road Acceptance - COALBROOK AT THE GROVE, SEC 4

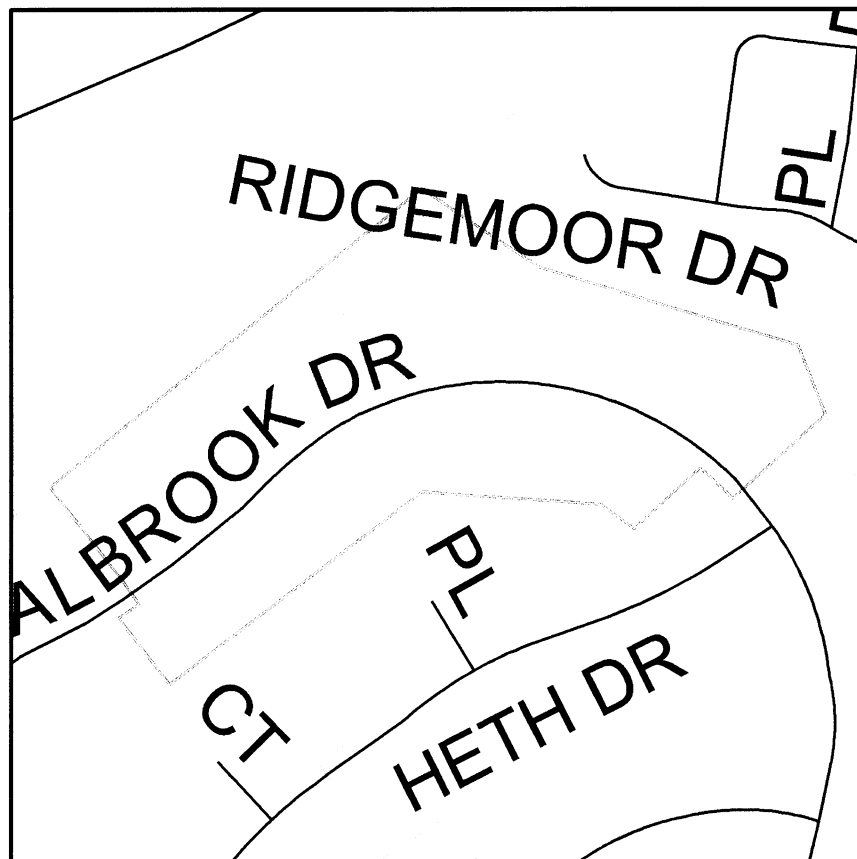
DISTRICT: MIDLOTHIAN

MEETING DATE: 26 May 2004

ROADS FOR CONSIDERATION:

COALBROOK DR

Vicinity Map: COALBROOK AT THE GROVE, SEC 4



000137

TO: Board of Supervisors

FROM: Department of Environmental Engineering

SUBJECT: State Road Acceptance - KINGHAM AT THE GROVE, SEC4

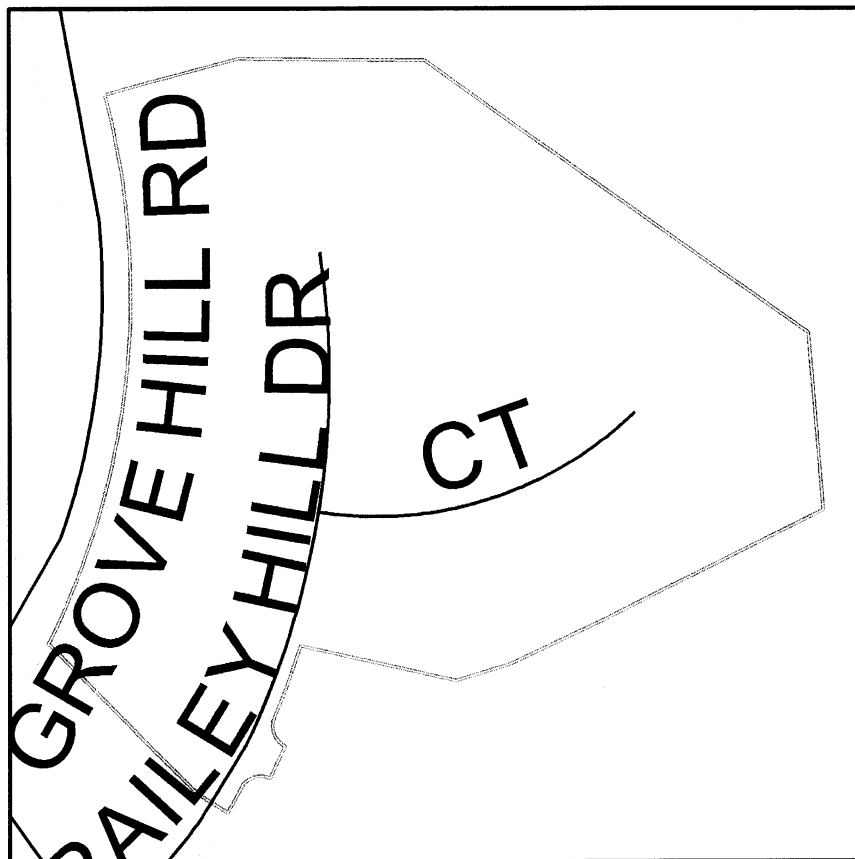
DISTRICT: MIDLOTHIAN

MEETING DATE: 26 May 2004

ROADS FOR CONSIDERATION:

RAILEY HILL CT
RAILEY HILL DR

Vicinity Map: KINGHAM AT THE GROVE, SEC4



000138

TO: Board of Supervisors

FROM: Department of Environmental Engineering

SUBJECT: State Road Acceptance - KRIM POINT, SEC 2

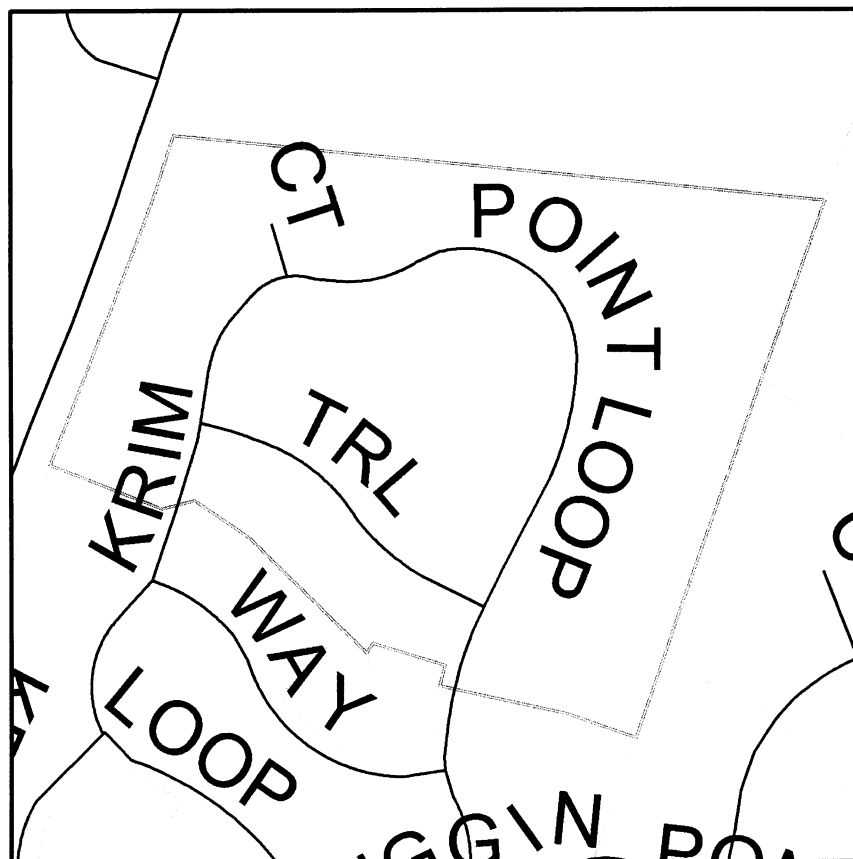
DISTRICT: MIDLOTHIAN

MEETING DATE: 26 May 2004

ROADS FOR CONSIDERATION:

KRIM POINT CT
KRIM POINT LOOP
KRIM POINT TRL

Vicinity Map: KRIM POINT, SEC 2



000139



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: May 26, 2004

Item Number: 8.A.8.

Subject: Approval of Water Contract for 1017 Starlight Lane, Contract Number 03-0158

County Administrator's Comments:

Recommend Approval

County Administrator:

LSR

Board Action Requested: Staff recommends that the Board of Supervisors approve this contract and authorize the County Administrator to execute any necessary documents.

Summary of Information:

This project includes an offsite extension of 110 L.F.± of 4" water lines. In accordance with the ordinance, the Developer is entitled to refunds through connection fees for the construction cost of the offsite improvements.

Developer: G. S. Parsons Construction Company

Contractor: C. D. French Excavating Contractors, Inc.

Contract Amount:

Estimated County Cost for Offsite	\$1,975.60
Estimated Developer Cost	\$5,824.40
Estimated Total	\$7,800.00

Code: (Refunds thru Connections - Offsite) , 5B-572VO-E4D

District: Clover Hill

Preparer: Craig S. Bryant

Title: Director of Utilities

Attachments:



Yes

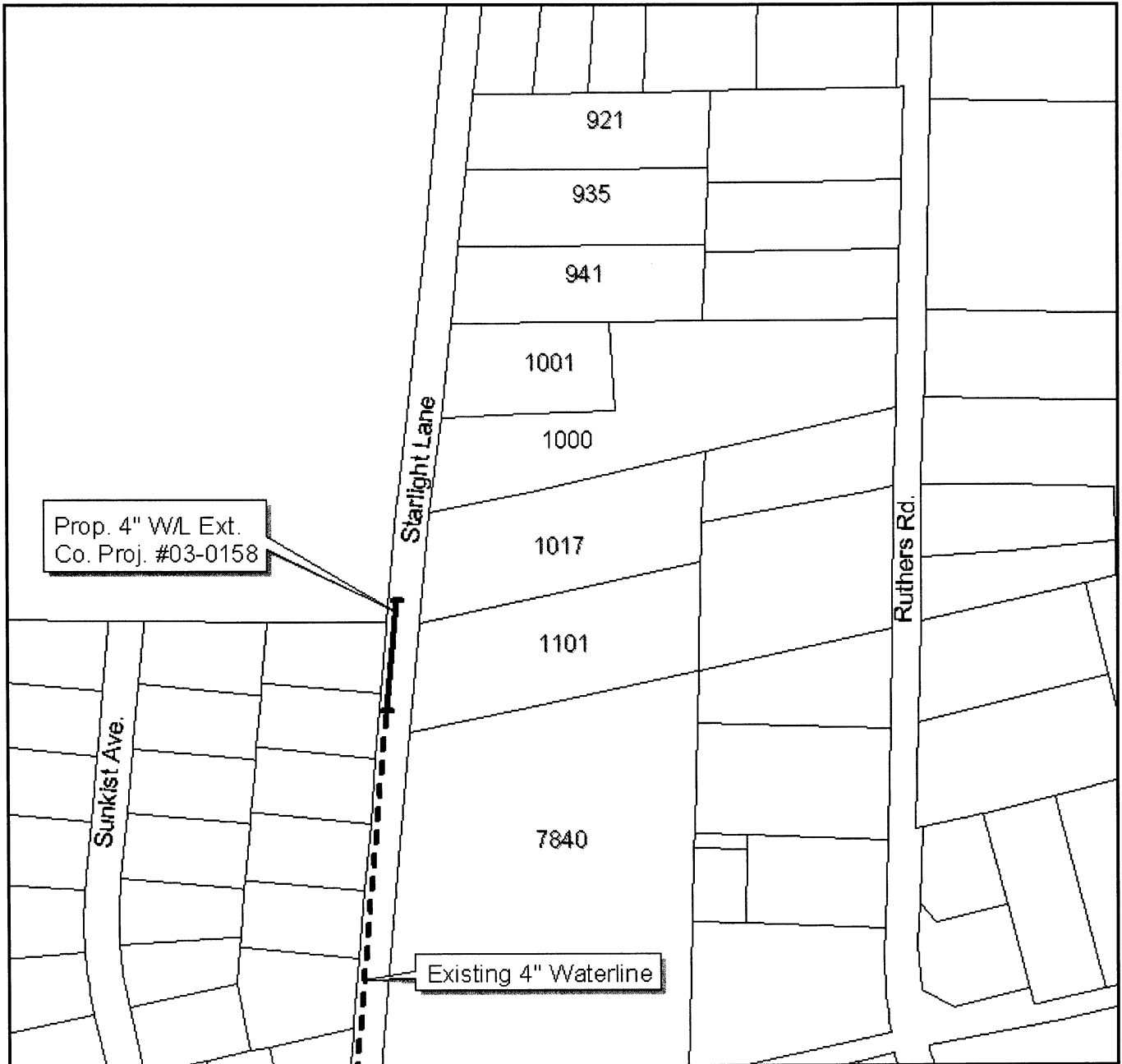


No

000140

VICINITY SKETCH

1017 Starlight Lane
County Project #03-0158



Chesterfield County Department of Utilities
Development Section



000141



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: May 26, 2004

Item Number: 8.A.9.

Subject:

Transfer \$100 Each from the Bermuda and Clover Hill District Improvement Funds (Total of \$200) to the Fire Department for the Junior Safety Camp

County Administrator's Comments:

Recommend Approval

County Administrator: _____

Board Action Requested:

The Board is requested to transfer \$100 each from the Bermuda and Clover Hill District Improvement Funds for a total of \$200, to the Fire Department to help defray the costs associated with the Junior Safety Camp, which will be offered by the Department's Fire and Life Safety Division.

Summary of Information:

Supervisors King and Warren are requesting the Board to transfer \$100 from their respective District Improvement Funds for a total of \$200 to the Fire Department to help defray the costs associated with a Junior Safety Camp, which will be offered by the Department's Fire and Life Safety Division. This camp is offered to teach life safety issues to young people ages 8 to 13. The two-day camp will teach young people about fire safety, medical issues, and personal safety. Individuals from various County departments will lead the activities acting as role models and teaching the value of teamwork. Two camps will be offered in the summer of 2004. The Board is

Preparer: Rebecca T. Dickson

Title: Director, Budget & Management
65264.1

Attachments:



Yes



No

#

000142

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

legally authorized to transfer public funds to a County department to conduct public safety programs for County citizens.

For information regarding available balances in the District Improvement Fund accounts, please reference the District Improvement Fund Report.

000143

DISTRICT IMPROVEMENT FUNDS APPLICATION

This application must be completed and signed before the County can consider a request for funding with District Improvement Funds. Completing and signing this form does not mean that you will receive funding or that the County can legally consider your request. Virginia law places substantial restrictions on the authority of the County to give public funds, such as District Improvement Funds, to private persons or organizations and these restrictions may preclude the County's Board of Supervisors from even considering your request.

1. What is the name of the applicant (person or organization) making this funding request?

Chesterfield Fire & EMS
Jr. Safety Camp

2. If an organization is the applicant, what is the nature and purpose of the organization? (Also attach organization's most recent articles of incorporation and/or bylaws to application.)

Public Safety

3. What is the amount of funding you are seeking?

\$200.00

100.00 Bermuda District
100.00 Clover Hill District

4. Describe in detail the funding request and how the money, if approved, will be spent. The funding will be used to purchase 29 bike helmets for kids attending Jr. Safety Camp. This will supplement a \$500.00 grant from the VA Dept. of Health. The combined funding will purchase the 100 helmets needed.
Camp locations: Swift Creek Middle 6/22,23 Carver Middle 6/29,30

5. Is any County Department involved in the project, event or program for which you are seeking funds?

Chesterfield Fire & EMS

6. If this request for funding will not fully fund your activity or program, what other individuals or organizations will provide the remainder of the funding?

VA Dept. of Health
is providing a \$500.00 grant.

0107:23380.1

000144

7. If applicant is an organization, answer the following:

Is the organization a corporation?
Is the organization non-profit?
Is the organization tax-exempt?

Yes	_____	No	<u>X</u>
Yes	<u>X</u>	No	_____
Yes	<u>X</u>	No	_____

8. What is the address of the applicant making this funding request?

P.O. Box 40
Chesterfield, VA 23832

9. What is the telephone number, fax number, e-mail address of the applicant?

804-717-6020

Signature of applicant. If you are signing on behalf of an organization you must be the president, vice-president, chairman/director or vice-chairman of the organization.

Steve A. Elswick

Signature

Fire Chief

Title (if signing on behalf of an organization)

Steve A. Elswick

Printed Name

5-4-04

Date



0407:23380.1

000145



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.10.a.

Subject: Request Permission for a Proposed Fence to Encroach Within an Eight-Foot Easement Across Lot 18, Ashbrook, Section 11

County Administrator's Comments: *Recommend Approval*

County Administrator: _____ *[Signature]*

Board Action Requested: Grant Steven W. Anderson and Michelle L. Anderson, permission for a proposed fence to encroach within an 8' easement across Lot 18, Ashbrook, Section 11, subject to the execution of a license agreement.

Summary of Information:

Steven W. Anderson and Michelle L. Anderson have requested permission for a proposed fence to encroach within an 8' easement across Lot 18, Ashbrook, Section 11. This request has been reviewed by staff and approval is recommended.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes



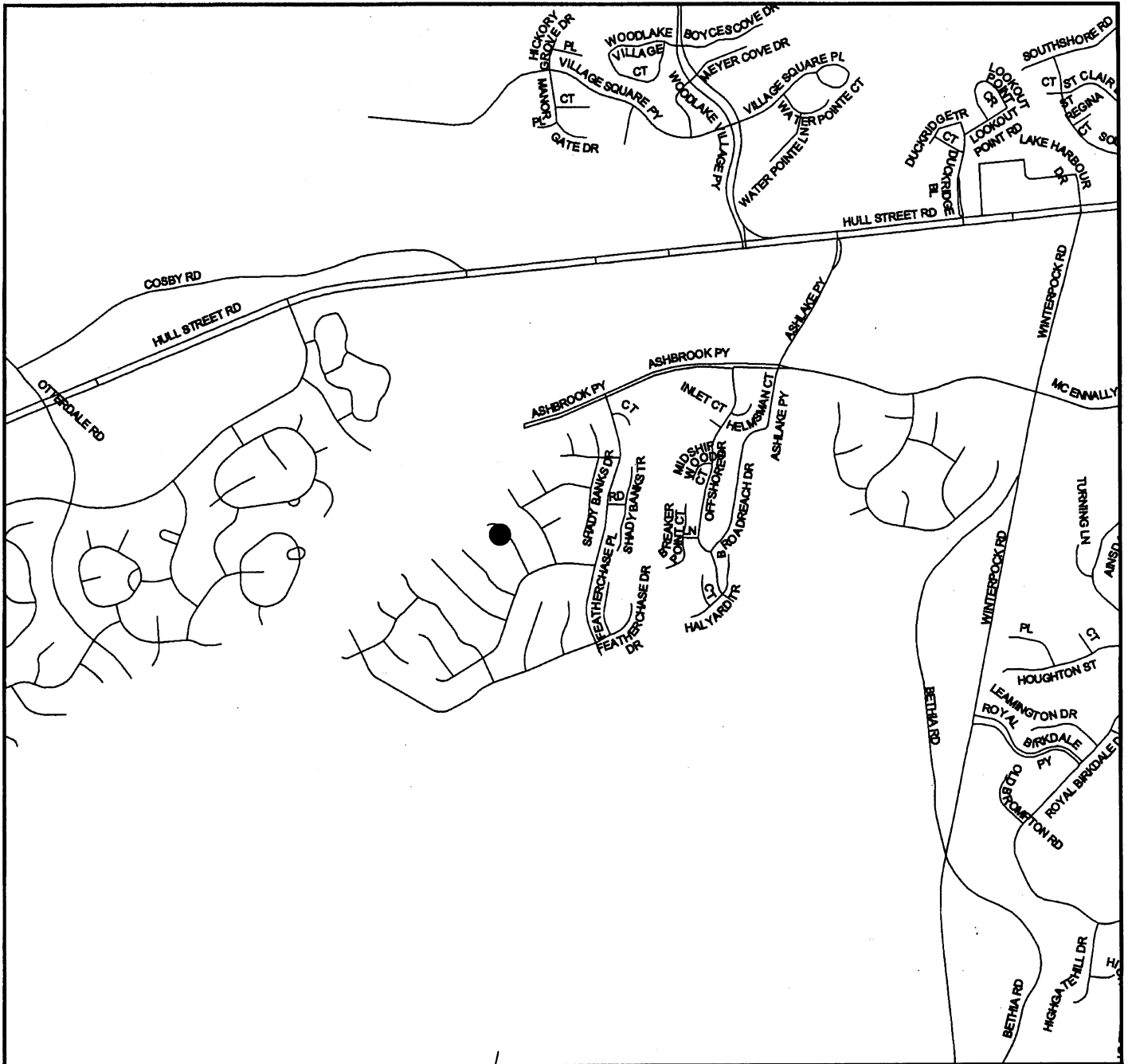
No

#

000146

VICINITY SKETCH

REQUEST PERMISSION FOR A PROPOSED
FENCE TO ENCROACH WITHIN AN 8'
EASEMENT ACROSS LOT 18, ASHBROOK,
SECTION 11



Chesterfield County Department of Utilities
Right Of Way Office



000147

THIS IS TO CERTIFY THAT ON 11-19-01 I MADE AN ACCURATE FIELD SURVEY OF THE PROPERTY AS SHOWN HEREON; THAT ALL IMPROVEMENTS AND VISIBLE EVIDENCE OF EASEMENTS ARE SHOWN HEREON; THAT THERE ARE NO ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PROPERTY OR FROM SUBJECT PROPERTY UPON ADJOINING PROPERTY, OTHER THAN AS SHOWN HEREON; ACCORDING TO THE CURRENT FEMA FLOOD RATE MAPS THIS PROPERTY IS LOCATED WITHIN ZONE C.

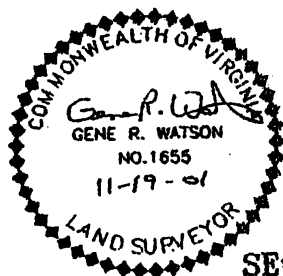
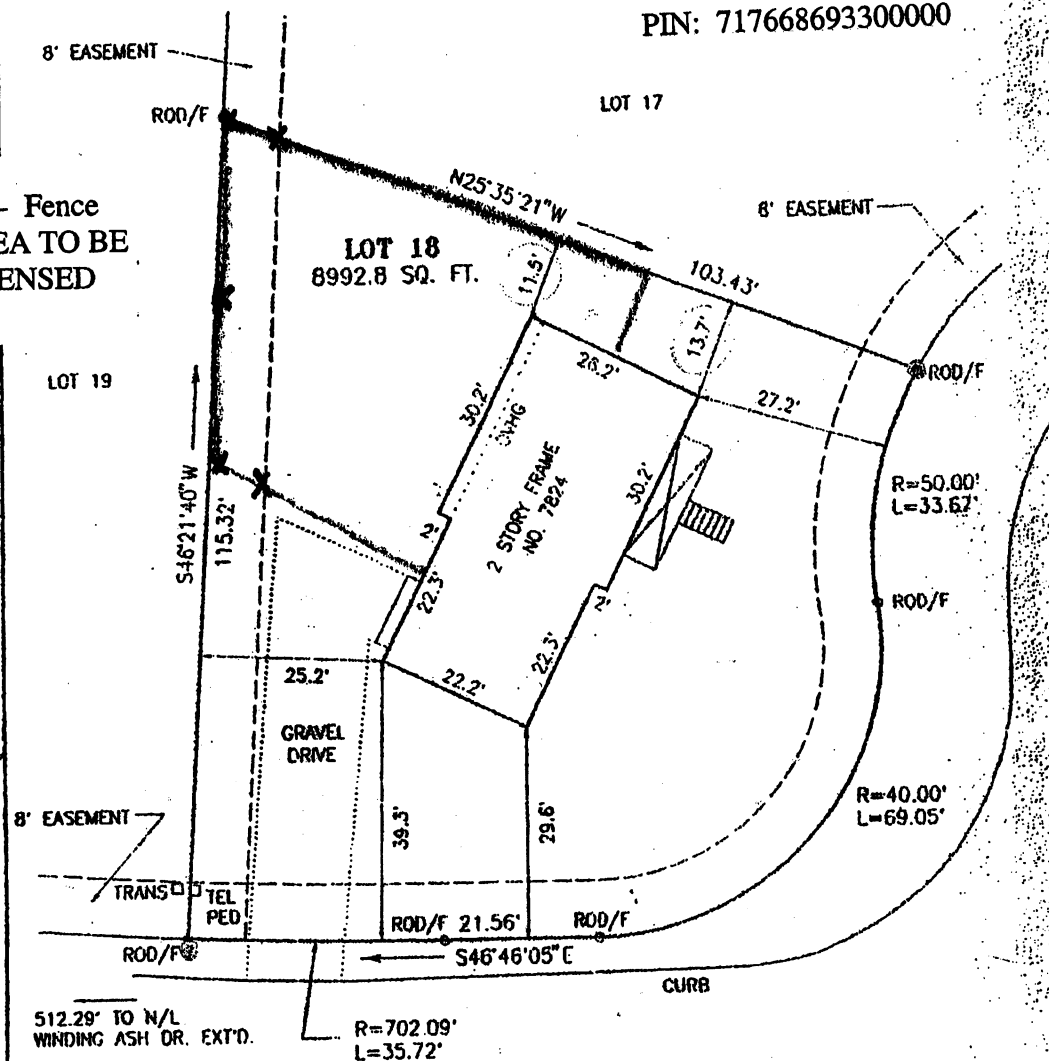
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.

OWNER: KENNEDY HOMES, INC.
DB 4031 PG 727
TM NO. 717-668-6933-00000

PUR: STEVE AND MICHELLE ANDERSON

Steven W. Anderson
Michelle L. Anderson
7834 Winding Ash Terrace
DB. 4308 PG. 433
PIN: 717668693300000

XX - Fence
AREA TO BE
LICENSED



WINDING ASH TERRACE
40' R/W

"PHYSICAL SURVEY"

PLAT SHOWING IMPROVEMENTS ON LOT 18
SECTION 11 ASHBROOK LOCATED IN THE MATOACA
DISTRICT OF CHESTERFIELD COUNTY, VIRGINIA

GENE WATSON & ASSOCIATES, P.C.
4221 BONNIE BANK ROAD
RICHMOND VIRGINIA
804-271-8038

SCALE: 1" = 20'
JN 5368

DATE: 11-19-01
FILE: CWM-5149

000148



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.10.b.

Subject: Request Permission for a Proposed Fence to Encroach Within a Sixteen-Foot Drainage Easement Across Lot 41, Edgewater At The Reservoir, Section 6

County Administrator's Comments:

Recommend Approval

County Administrator: _____

LWH

Board Action Requested: Grant Lewis W. Wright, III and Anne M. Wright, permission for a proposed fence to encroach within a 16' drainage easement across Lot 41, Edgewater At The Reservoir, Section 6, subject to the execution of a license agreement.

Summary of Information:

Lewis W. Wright, III and Anne M. Wright have requested permission for a proposed fence to encroach within a 16' drainage easement across Lot 41, Edgewater At The Reservoir, Section 6. This request has been reviewed by staff and approval is recommended.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

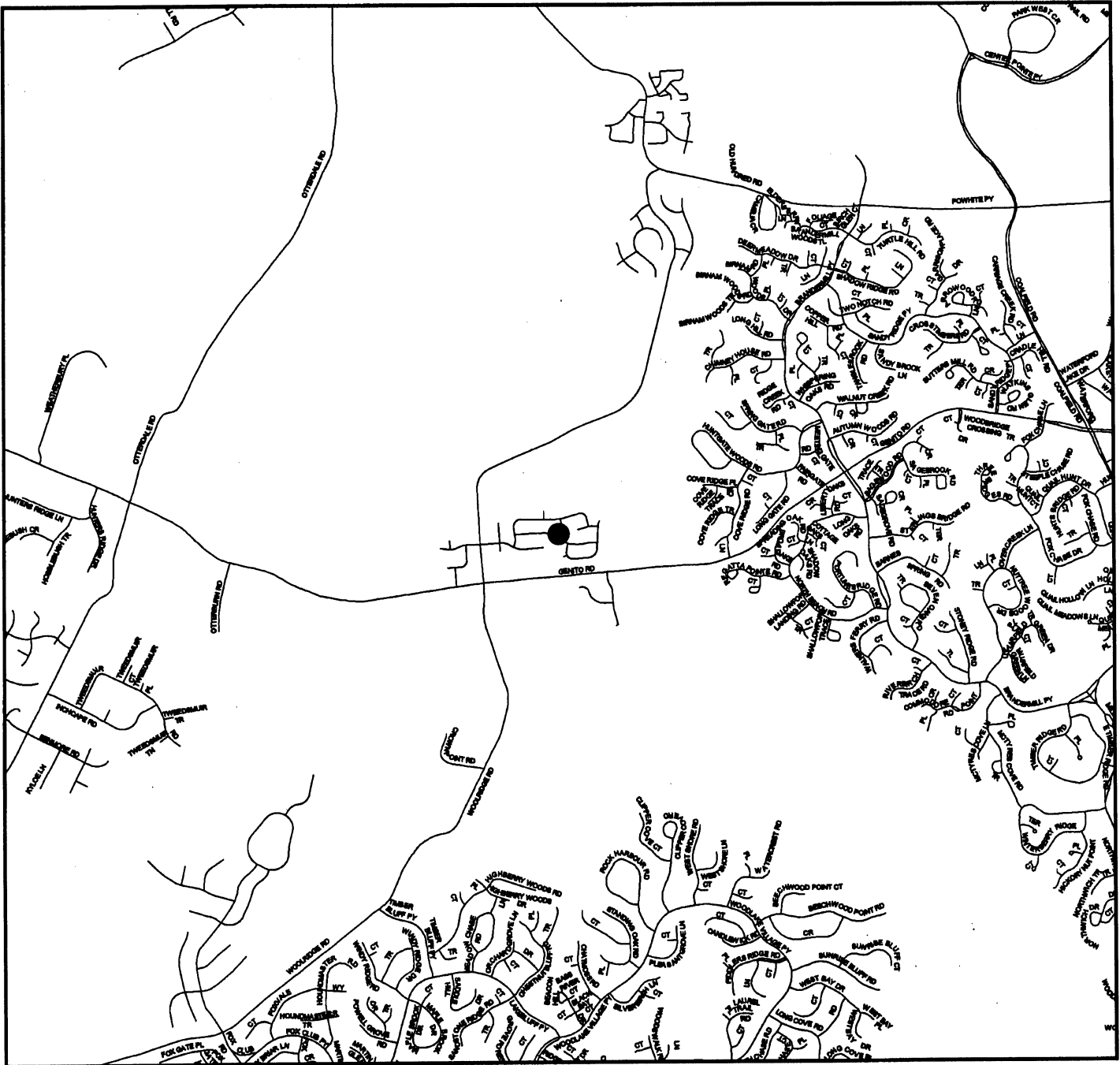


No

#000149

VICINITY SKETCH

REQUEST PERMISSION FOR A PROPOSED
FENCE TO ENCROACH WITHIN A 16'
DRAINAGE EASEMENT ACROSS LOT 41,
EDGEWATER AT THE RESERVOIR, SECTION 6



Chesterfield County Department of Utilities
Right Of Way Office

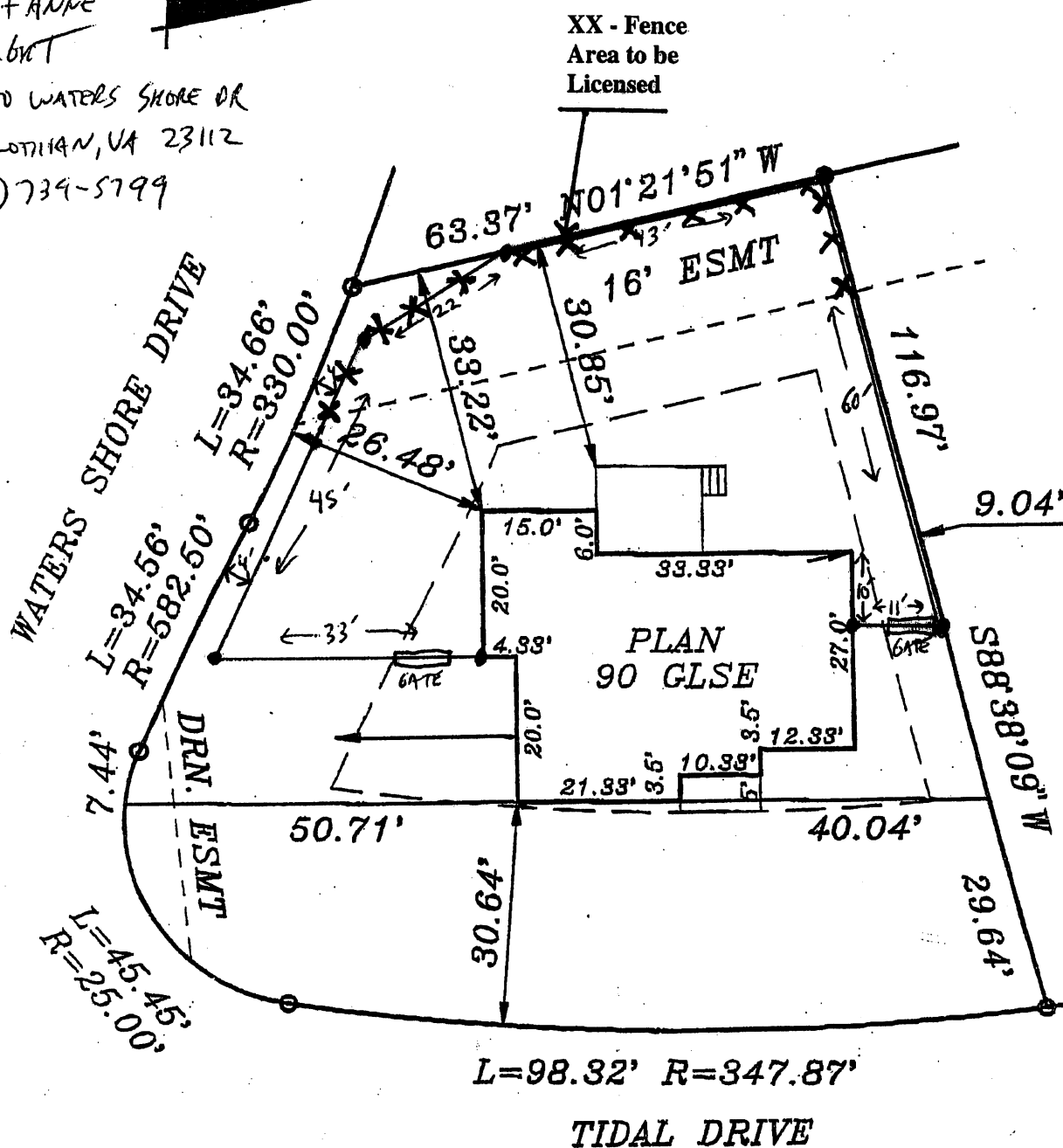


000150

LEWIS + ANNE
WRIGHT

14700 WATERS SHORE DR
MIDDLETON, VA 23112

(804) 734-5799



COMPILED PLOT PLAN
TOMAC CORPORATION
LOT 41 SEC 6 EDGEWATER @ the RESERVOIR
CHESTERFIELD COUNTY, VIRGINIA
SCALE 1"=20' 3-17-03 DSS
REV 3-18-03

JN: 17203

000151



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.10.c.

Subject: Request Permission for a Proposed Fence to Encroach Within an Eight-Foot Easement Across Lot 86, Montclair at Southbend, Section 1

County Administrator's Comments:

Recommend Approval

County Administrator: _____

LJR

Board Action Requested: Grant William M. Andrews, Jr. and Christine D. Andrews, permission for a proposed fence to encroach within an 8' easement across Lot 86, Montclair at Southbend, Section 1, subject to the execution of a license agreement.

Summary of Information:

William M. Andrews, Jr. and Christine D. Andrews have requested permission for a proposed fence to encroach within an 8' easement across Lot 86, Montclair at Southbend, Section 1. This request has been reviewed by staff and approval is recommended.

District: Bermuda

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



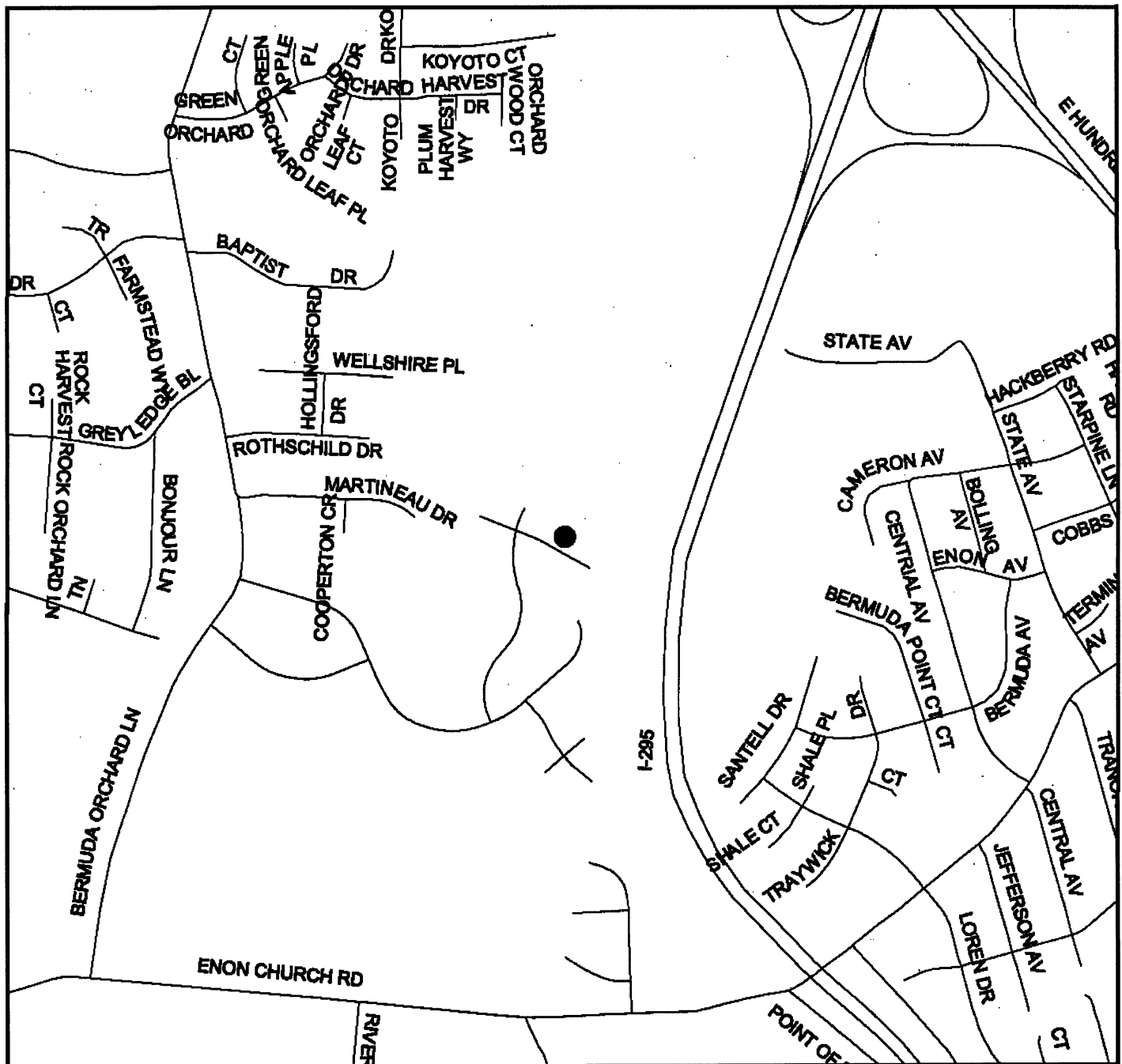
Yes



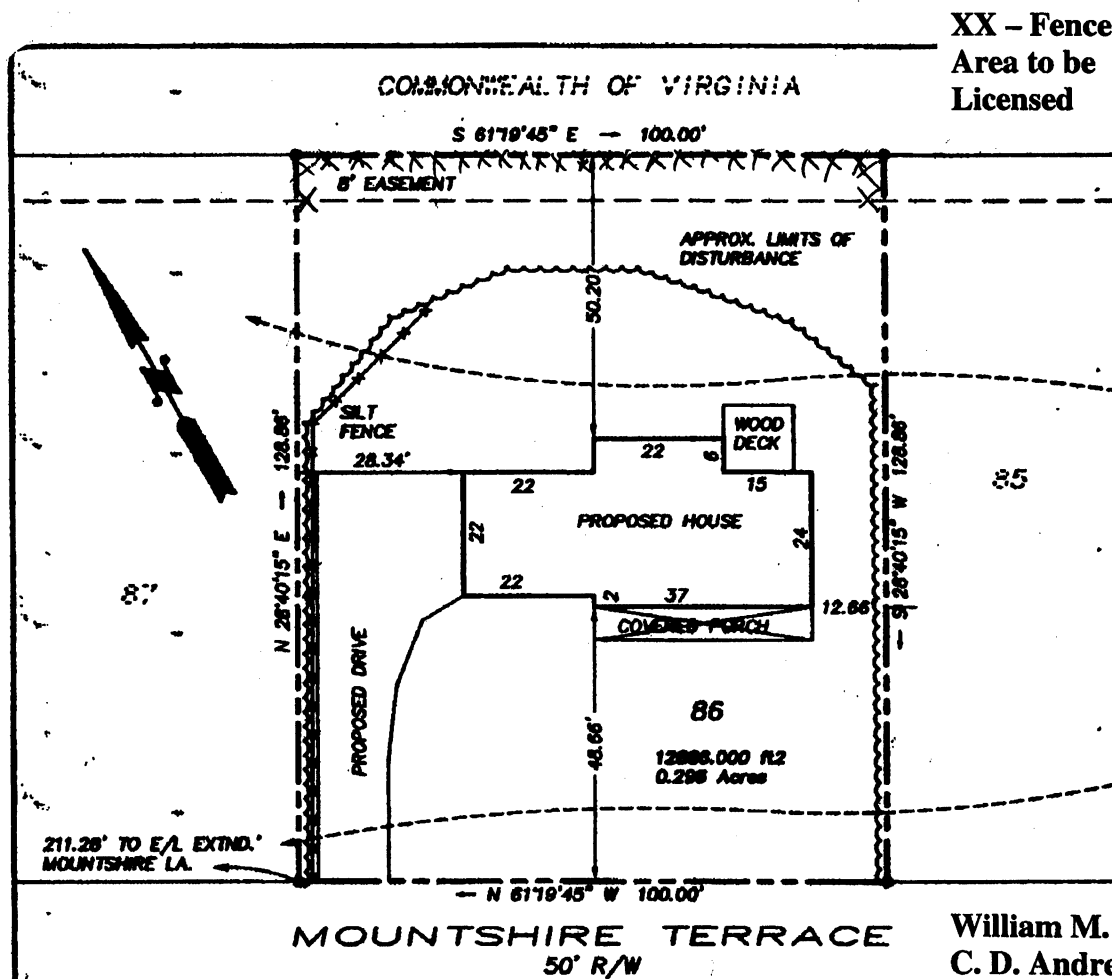
No

000152

**REQUEST PERMISSION FOR A PROPOSED
FENCE TO ENCROACH WITHIN AN 8'
EASEMENT ACROSS LOT 86, MONTCLAIR AT
SOUTHBEND, SECTION 1**

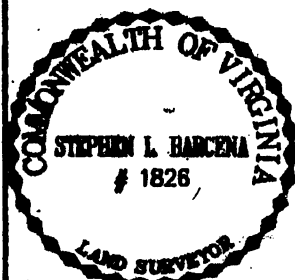


~~000153~~



William M. Andrews, Jr.
C. D. Andrews
812 Mountshire Terrace
DB. 5480 PG. 295
PIN: 819646186600000

PLAT SHOWING
**LOT 86 ~ SECTION 1 ~ MONTCLAIR
AT SOUTHBEND**
BERMUDA DISTRICT, CHESTERFIELD COUNTY, VIRGINIA
DRAWN FOR
NOBLIN CUSTOM HOMES, LLC



PREVIOUS JOB NO.

SCALE: 1" = 25 FEET
0 13 25 50

BASELINE, INC. LAND SURVEYING 804-530-3200 CHESTER, VIRGINIA	
DATE: APRIL 8, 2003	SCALE: 1" = 25'
DRAWN BY: SLB	
CHECKED BY:	CALC. CHK: SLB
JOB NO.: 15312	

000154



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.10.d.

Subject: Request Permission to Install a Private Sewer Service Within a Private Easement to Serve Property at 9817 Patromdale Drive

County Administrator's Comments:

Recommend Approval
JWH

County Administrator: _____

Board Action Requested: Approve a request to install a private sewer service within a private easement to serve property at 9817 Patromdale Drive and authorize the County Administrator to execute the sewer connection agreement.

Summary of Information:

Roadrunner Enterprises, Inc., t/a New Millenium Builders has requested approval to install a private sewer service within a private easement to serve property at 9817 Patromdale Drive. This request has been reviewed by staff and approval is recommended.

District: Bermuda

Preparer: _____ John W. Harmon

Title: Right of Way Manager

Attachments:



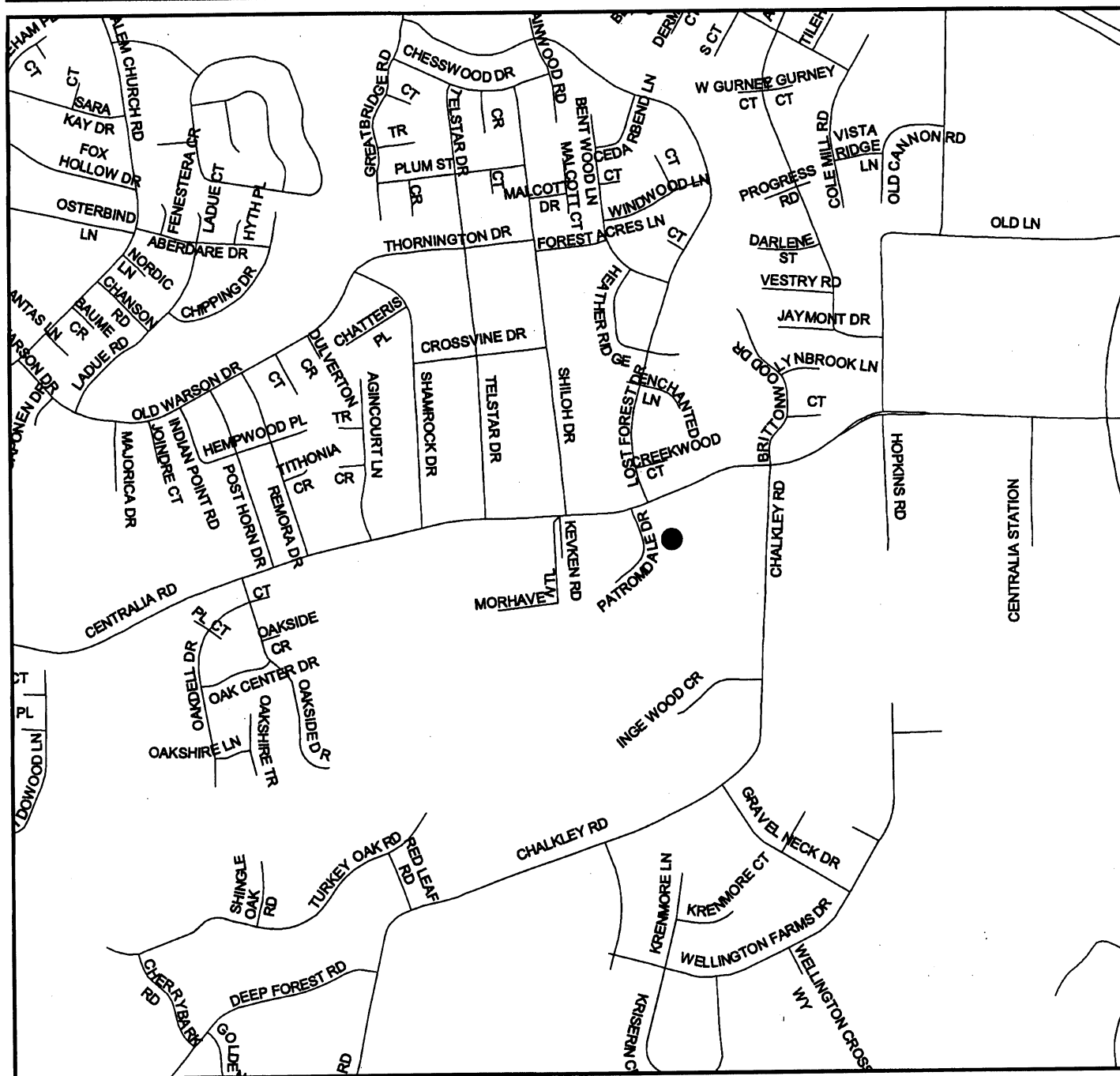
Yes



No

#000155

**REQUEST PERMISSION TO INSTALL A
PRIVATE SEWER SERVICE WITHIN A PRIVATE
EASEMENT TO SERVE PROPERTY AT 9817
PATROMDALE DRIVE**



~~000156~~



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.11.a.

Subject: Acceptance of a Parcel of Land Adjacent to the West Right of Way Line of Ironbridge Road from C. W. Wright Construction Company, Incorporated

County Administrator's Comments: *Recommend Approval*

County Administrator: _____

Board Action Requested: Accept the conveyance of a parcel of land containing 0.067 acres from C. W. Wright Construction Company, Inc., and authorize the County Administrator to execute the deed.

Summary of Information:

Staff requests that the Board of Supervisors accept the conveyance of a parcel of land containing 0.067 acres adjacent to the west right of way line of Ironbridge Road (State Route 10). This dedication is a condition of zoning.

Approval is recommended.

District: Dale

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes



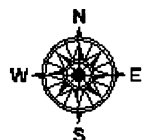
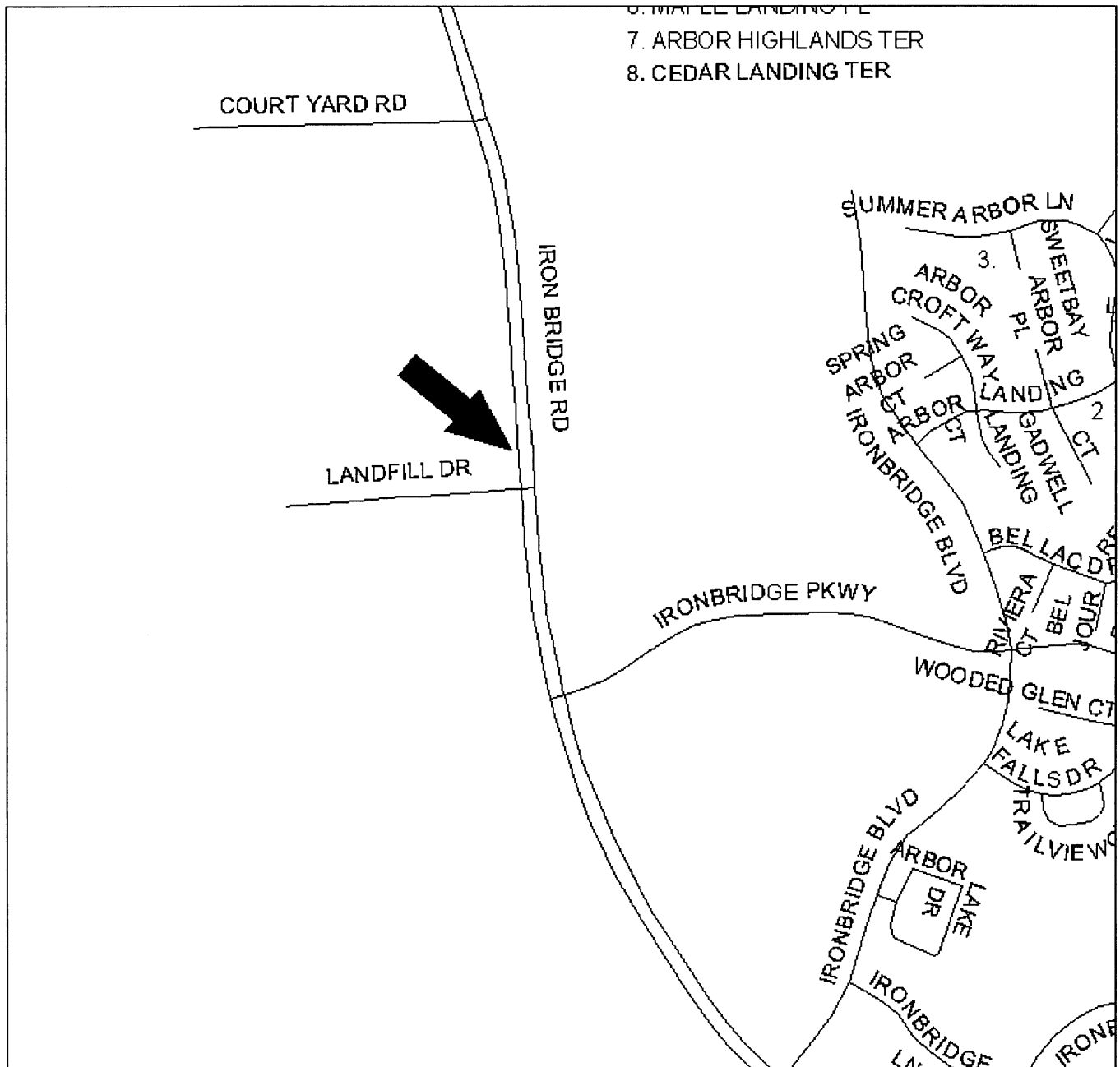
No

#

000157

VICINITY SKETCH

ACCEPTANCE OF A PARCEL OF LAND ADJACENT TO THE
WEST RIGHT OF WAY LINE OF IRONBRIDGE ROAD FROM
C. W. WRIGHT CONSTRUCTION COMPANY, INC.

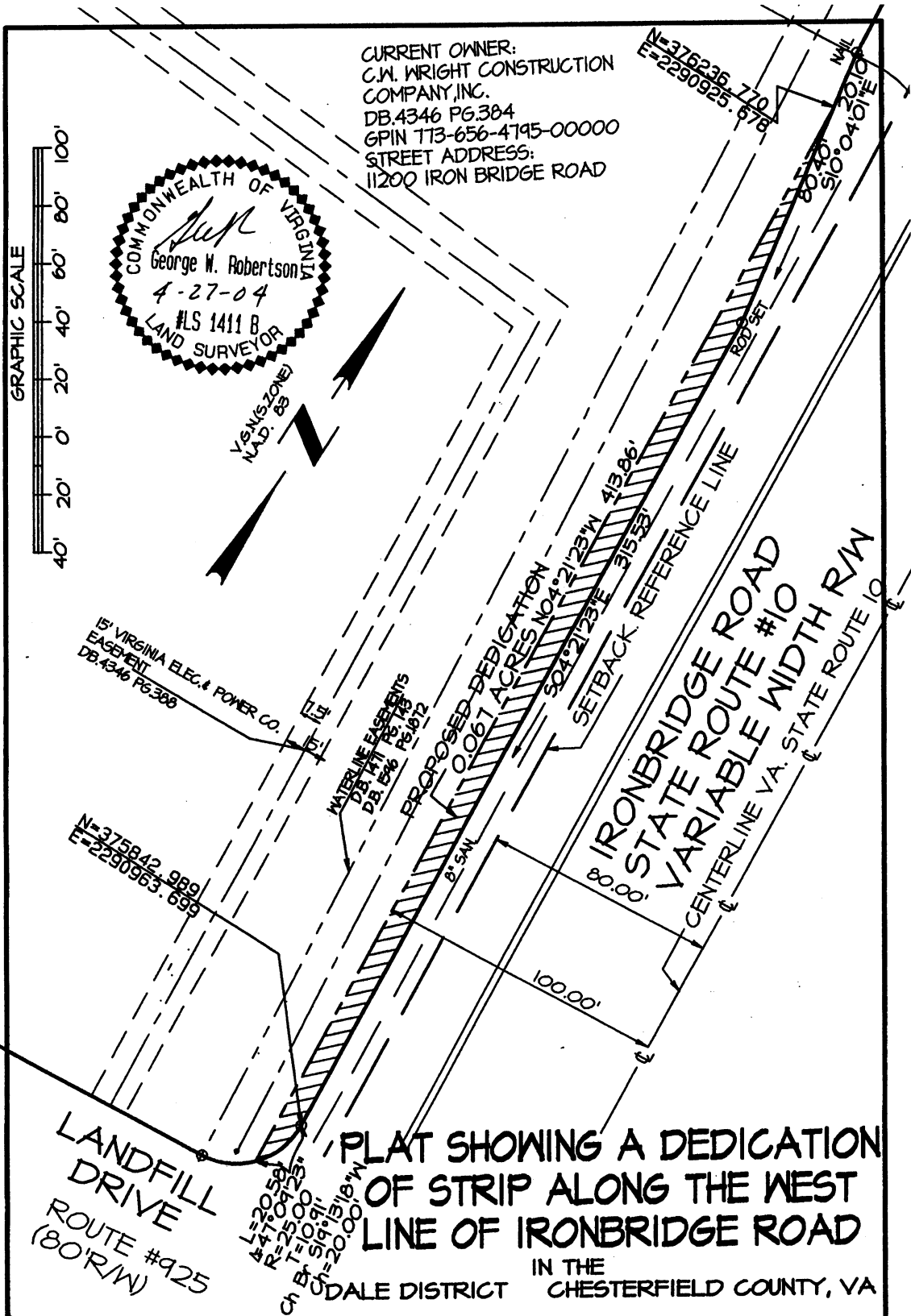


Chesterfield County Department of Utilities

1 inch equals 625 feet



000158



J.N.# Q11207RW ©

SCALE: 1" = 40'

DATE: 04-21-04

FBK.

DOWNING SURVEYS, INC.

305 S. WASHINGTON HWY SUITE "K" ASHLAND, VA. 23005
(PH) 798-6795 & 748-3609 (FAX) 798-3546

000159



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.11.b.

Subject: Acceptance of Parcels of Land for the Extension of Center Pointe Parkway from Bon Secours - Saint Francis Medical Center, Incorporated

County Administrator's Comments: *Recommend Approval*

County Administrator: *SEP*

Board Action Requested: Accept the conveyance of three parcels of land containing a total of 0.066 acres from Bon Secours-St. Francis Medical Center, Inc., and authorize the County Administrator to execute the deed.

Summary of Information:

Staff requests that the Board of Supervisors accept the conveyance of three parcels of land containing a total of 0.066 acres for the extension of Center Pointe Parkway. This dedication is for the development of St. Francis Medical Center, Center Pointe Parkway Extension Phase 2.

Approval is recommended.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

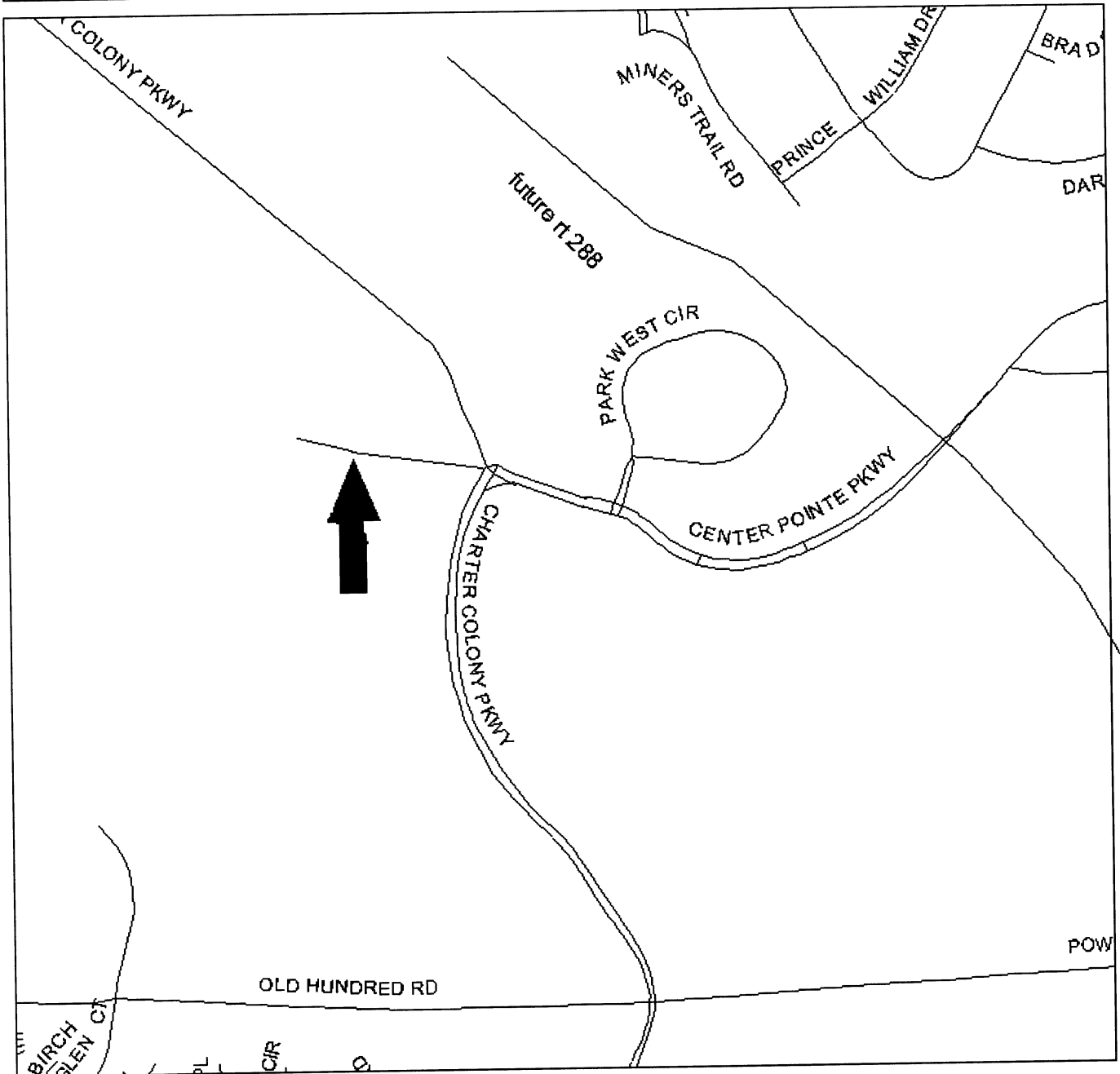


No

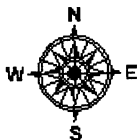
000160

VICINITY SKETCH

ACCEPTANCE OF PARCELS OF LAND FOR THE
EXTENSION OF CENTER POINTE PARKWAY FROM
BON SECOURS-ST. FRANCIS MEDICAL CENTER, INC.



Chesterfield County Department of Utilities



1 inch equals 708.33 feet



000161



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.11.c.

Subject: Acceptance of a Parcel of Land Along the North Right of Way Line of Bailey Bridge Road from the Trustees of Clover Hill Assembly of God Church

County Administrator's Comments:

Recommend Approval

County Administrator: _____

[Signature]

Board Action Requested: Accept the conveyance of a parcel of land containing 0.330 acres along the north right of way line of Bailey Bridge Road (State Route 654) from the Trustees of Clover Hill Assembly of God Church, and authorize the County Administrator to execute the deed.

Summary of Information:

It is the policy of the county to acquire right of way whenever possible through development to meet the ultimate road width as shown on the County Thoroughfare Plan. The dedication of this parcel conforms to that plan, and will decrease the right of way costs for road improvements when constructed.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

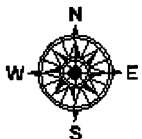
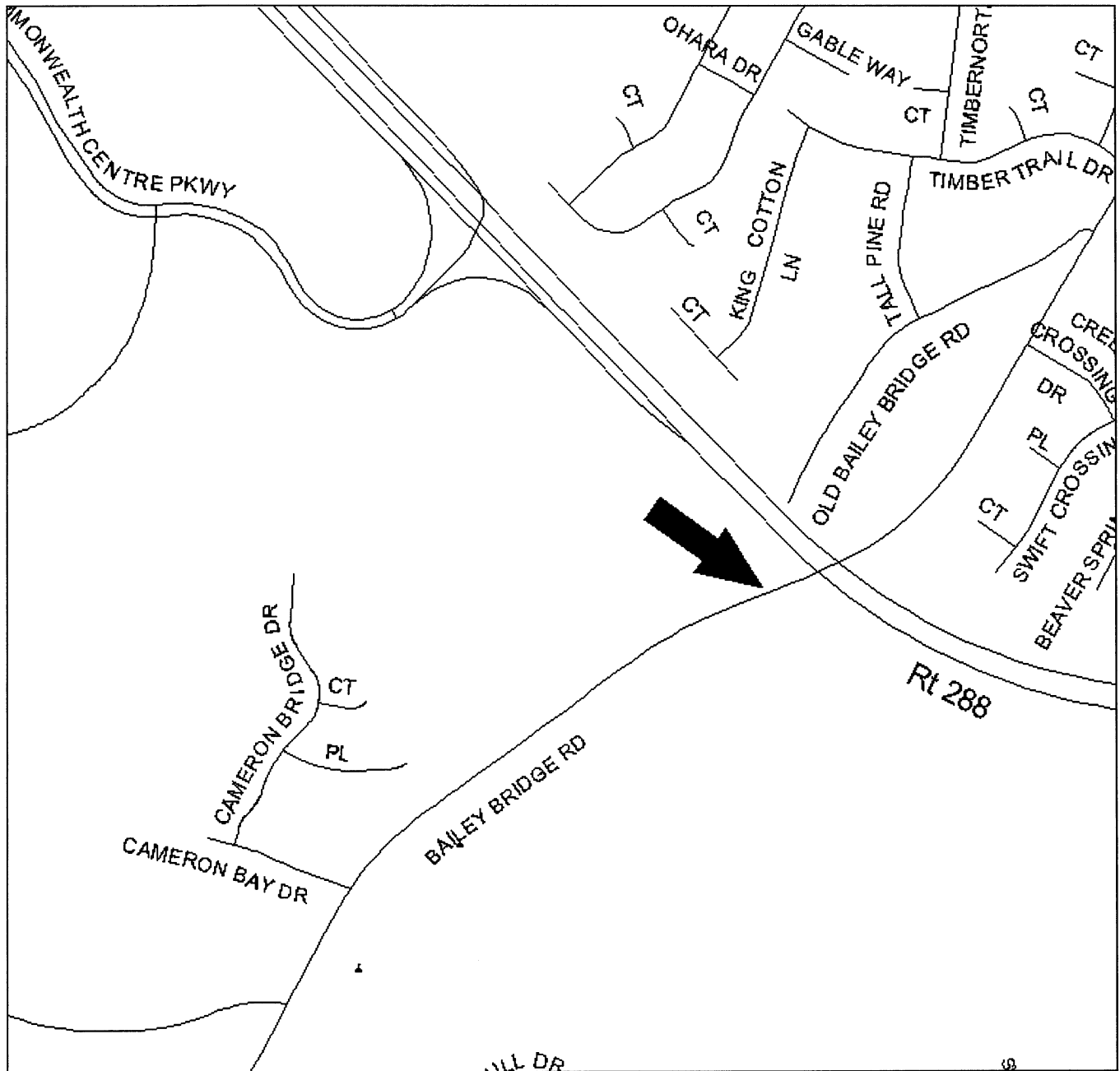


No

#000163

VICINITY SKETCH

ACCEPTANCE OF A PARCEL OF LAND ALONG THE NORTH
RIGHT OF WAY LINE OF BAILEY BRIDGE ROAD FROM THE
TRUSTEES OF CLOVER HILL ASSEMBLY OF GOD CHURCH



Chesterfield County Department of Utilities

1 inch equals 666.67 feet

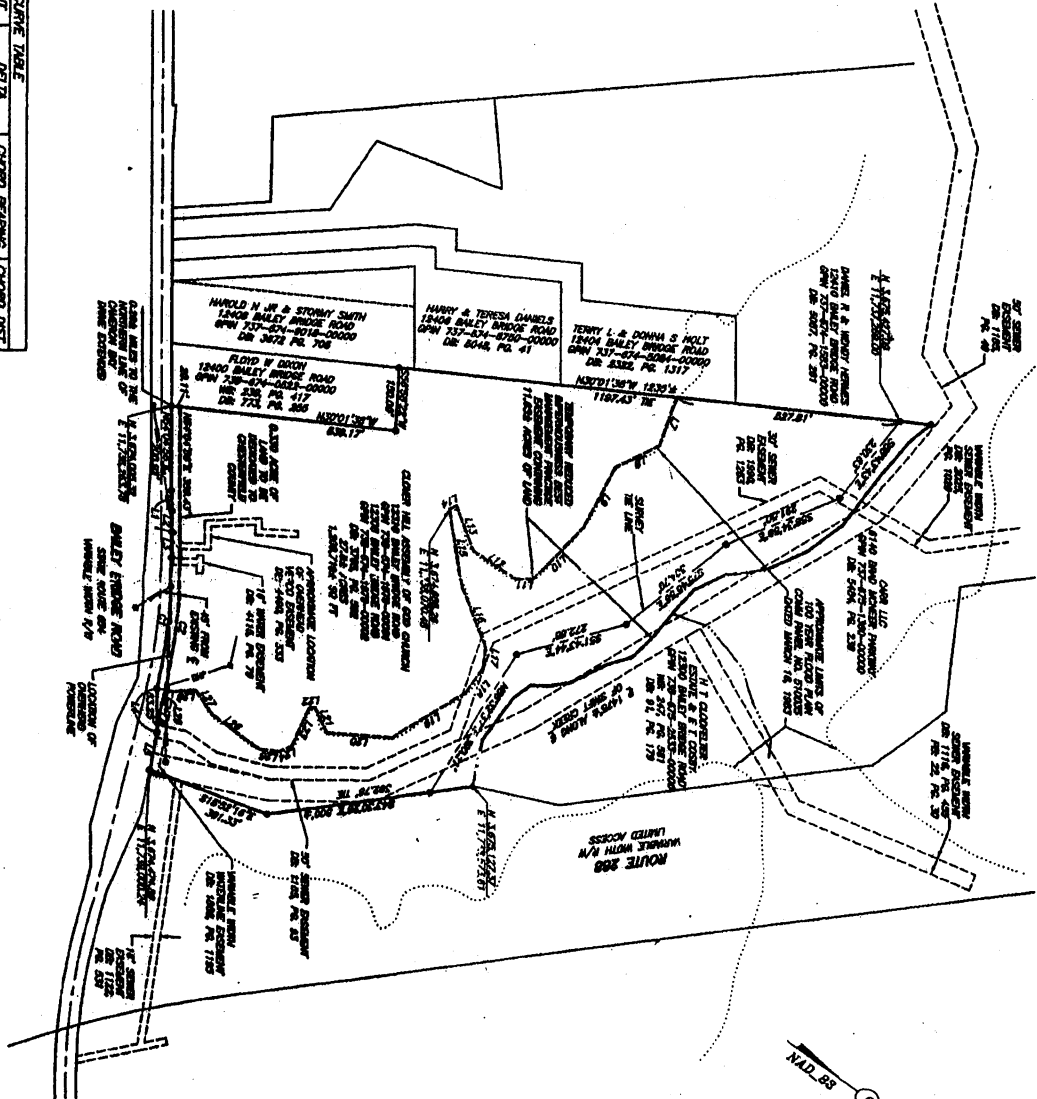


000164

NOTE: THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO INFORMATION WHICH MAY BE DISCLOSED BY SUCH NOT ALL EASEMENTS AND NO IMPROVEMENTS SHOWN.

CLINE	LENGTH	RADIUS	TANGENT	DELTA	CHORD BEARING	CHORD DIST.
C1	318.82'	1467.49'	160.87'	173.34°	S80°22'18"W	319.28'
C2	358.81'	1477.39'	178.53'	157°00'20"	S81°00'11"W	358.04'

LINE	BEARING	LENGTH
L1	S81°47'30"W	50.04'
L2	S82°22'31"W	50.04'
L3	S82°04'56"W	60.57'
L4	S83°46'16"W	103.70'
L5	S85°03'42"W	91.02'
L6	S87°35'26"W	48.56'
L7	S72°08'53"W	121.95'
L8	N62°33'41"W	117.69'
L9	S91°24'27"W	159.77'
L10	N62°22'46"W	178.49'
L11	N53°52'30"W	41.31'
L12	N62°27'12"W	124.25'
L13	N53°40'23"E	114.48'
L14	N60°37'12"W	18.27'
L15	S84°45'10"W	182.01'
L16	S81°42'47"W	153.73'
L17	S83°22'49"W	57.15'
L18	N65°30'43"W	76.19'
L19	N67°18'18"W	205.71'
L20	N61°31'18"W	157.60'
L21	N61°32'27"E	64.41'
L22	N61°36'11"W	14.57'
L23	S82°30'12"W	100.05'
L24	N65°19'33"W	33.37'
L25	N65°08'10"W	45.79'
L26	N62°08'13"W	130.71'
L27	N16°22'54"E	71.51'
L28	N62°33'58"W	73.96'
L29	S87°20'33"W	28.89'



COUNTY PROJECT NO-0287
COUNTY SITE PLAN FOR PROJ151

COMPILED PLAT SHOWING 0.330 ACRE OF LAND TO BE DEDICATED TO CHESTERFIELD COUNTY AND A TEMPORARY REDUCED IMPERVIOUSNESS BMP EASEMENT CONTAINING 11.635 ACRES OF LAND ON THE LAND OF CLOVER HILL ASSEMBLY OF GOD CHURCH
PART OF A DISTRICT
CHESTERFIELD COUNTY, VIRGINIA

DATE: 11/11/04
SHEET NO. 1 OF 1
JOB NO. CO400053
DEPT. 56



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.11.d.

Subject: Acceptance of a Parcel of Land Along the West Right of Way Line of Huguenot Road from Land 11600, LLC

County Administrator's Comments: *Recommend Approval*

County Administrator: *[Signature]*

Board Action Requested: Accept the conveyance of a parcel of land containing 0.018 acres along the west right of way line of Huguenot Road (State Route 147) from Land 11600, LLC, and authorize the County Administrator to execute the deed.

Summary of Information:

It is the policy of the county to acquire right of way whenever possible through development to meet the ultimate road width as shown on the County Thoroughfare Plan. The dedication of this parcel conforms to that plan, and will decrease the right of way costs for road improvements when constructed.

District: Midlothian

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

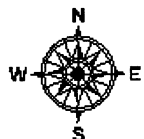
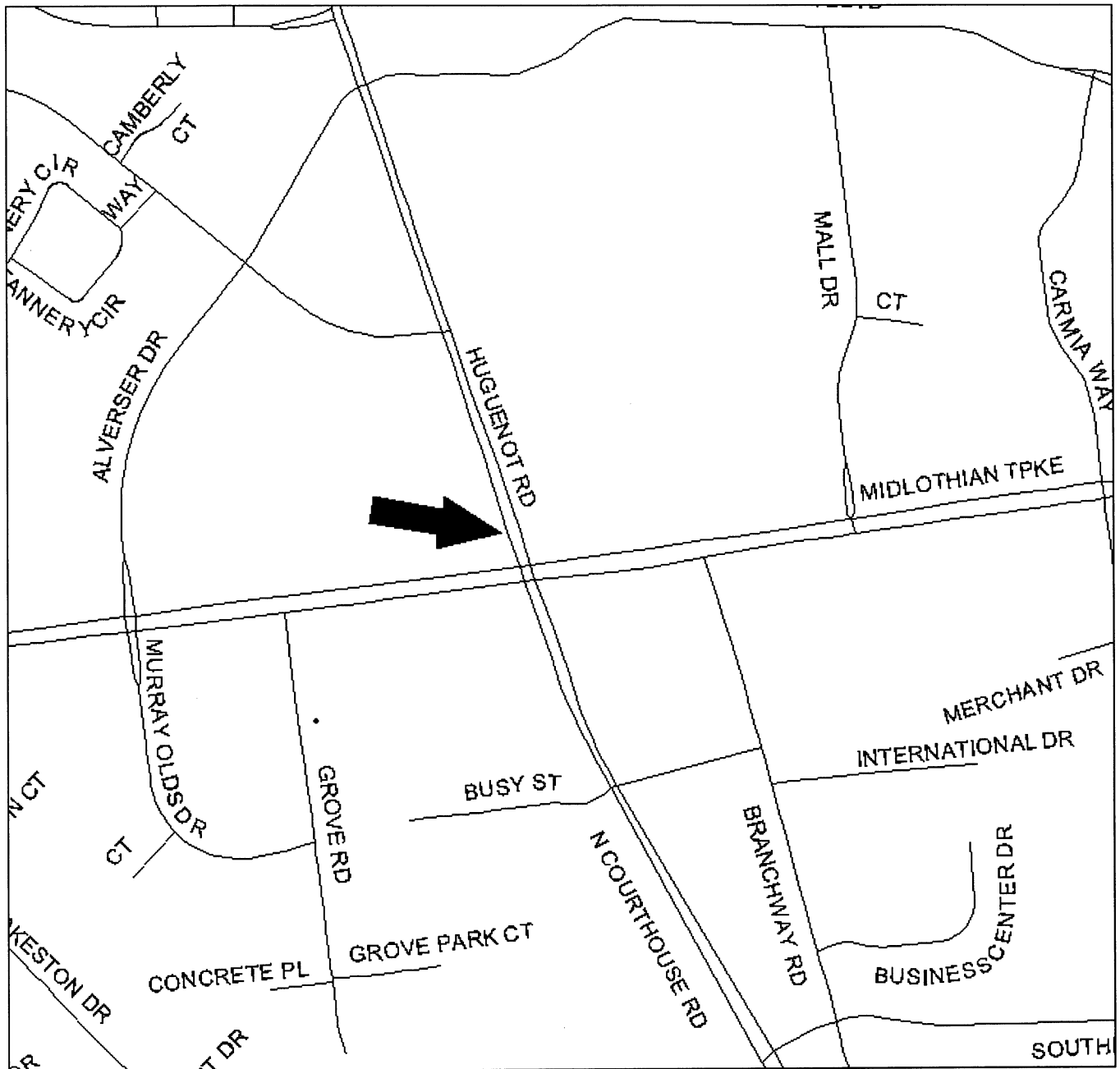


No

#000166

VICINITY SKETCH

ACCEPTANCE OF A PARCEL OF LAND ALONG THE WEST RIGHT
OF WAY LINE OF HUGUENOT ROAD FROM LAND 11600, LLC



Chesterfield County Department of Utilities

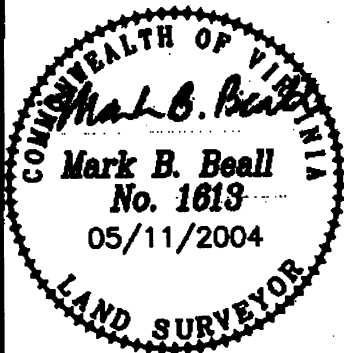


1 inch equals 625 feet

000167

Tax ID: 740-709-0919-00000
Owner Name: HENRY W WOODY, INC
Address: 1020 HUGUENOT RD
Deed Book: 1970 Page: 81

Tax ID: 739-708-9084-00000
Owner Name: H.B. HYMAN, JR & C.H. HYMAN FAMILY
LIMITED PARTNERSHIP
Address: 11650 MIDLOTHIAN TK
Deed Book: 2980 Page: 131



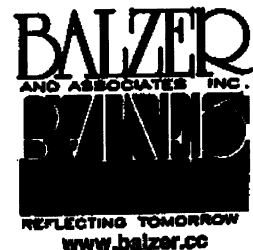
Scale 1" = 30'

DATE: 05/11/2004
SCALE: 1"=30'
JOB NO: C0410537

PLAT SHOWING
A 0.018 ACRE PARCEL OF LAND LYING ON
THE WEST LINE OF HUGUENOT ROAD
Midlothian District
Chesterfield County, Virginia

• PLANNERS • ARCHITECTS • ENGINEERS • SURVEYORS •

501 Branchway Road • Suite 100 • Richmond, Virginia 23236 • Phone (804) 794-0571 • Fax (804) 794-2635



000168



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.11.e.

Subject: Acceptance of a Parcel of Land Along the North Right of Way Line of Bellwood Road from Bellwood Investments, LLC

County Administrator's Comments: *Recommend Approval*

County Administrator: *[Signature]*

Board Action Requested: Accept the conveyance of a parcel of land containing 0.07 acres along the north right of way line of Bellwood Road (State Route 656) from Bellwood Investments, LLC, and authorize the County Administrator to execute the deed.

Summary of Information:

It is the policy of the county to acquire right of way whenever possible through development to meet the ultimate road width as shown on the County Thoroughfare Plan. The dedication of this parcel conforms to that plan, and will decrease the right of way costs for road improvements when constructed.

District: Bermuda

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

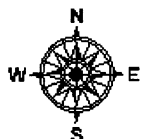


No

000169

VICINITY SKETCH

ACCEPTANCE OF A PARCEL OF LAND ALONG THE
NORTH RIGHT OF WAY LINE OF BELLWOOD ROAD FROM
BELLWOOD INVESTMENTS, LLC



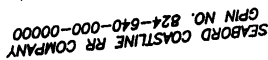
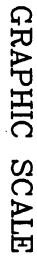
Chesterfield County Department of Utilities

1 inch equals 625 feet



000170

CO. PROJ. # 04-0001
CO. SITE # 04PRO246



PLAT
of
0.07 ACRES TO BE DEDICATED
TO THE COUNTY OF CHESTERFIELD
BERNIDA DISTRICT
CHESTERFIELD COUNTY, VIRGINIA

SCALE : 1" = 100'

REV. MARCH 15, 2004
REV. MARCH 5, 2004
MARCH 3, 2004

Townes
SITE ENGINEERING
9650 LORI ROAD, SUITE 201
CHESTERFIELD, VIRGINIA 23832
PHONE: (804) 748-9011 FAX: (804) 748-2590
Email: townes@ctctownes.com



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.12.a.

Subject: Conveyance of an Easement to Virginia Electric and Power Company

County Administrator's Comments:

Recommend Approval

County Administrator: _____

LJR

Board Action Requested: Authorize the Chairman of the Board of Supervisors and the County Administrator to execute an easement agreement with Virginia Electric and Power Company for underground cable along Government Center Parkway to serve the Commonwealth Natural Gas cathodic protection system.

Summary of Information:

Staff recommends that the Board of Supervisors authorize the Chairman of the Board of Supervisors and the County Administrator to execute an easement agreement with Virginia Electric and Power Company for underground cable along Government Center Parkway to serve the Commonwealth Natural Gas cathodic protection system.

District: Dale

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

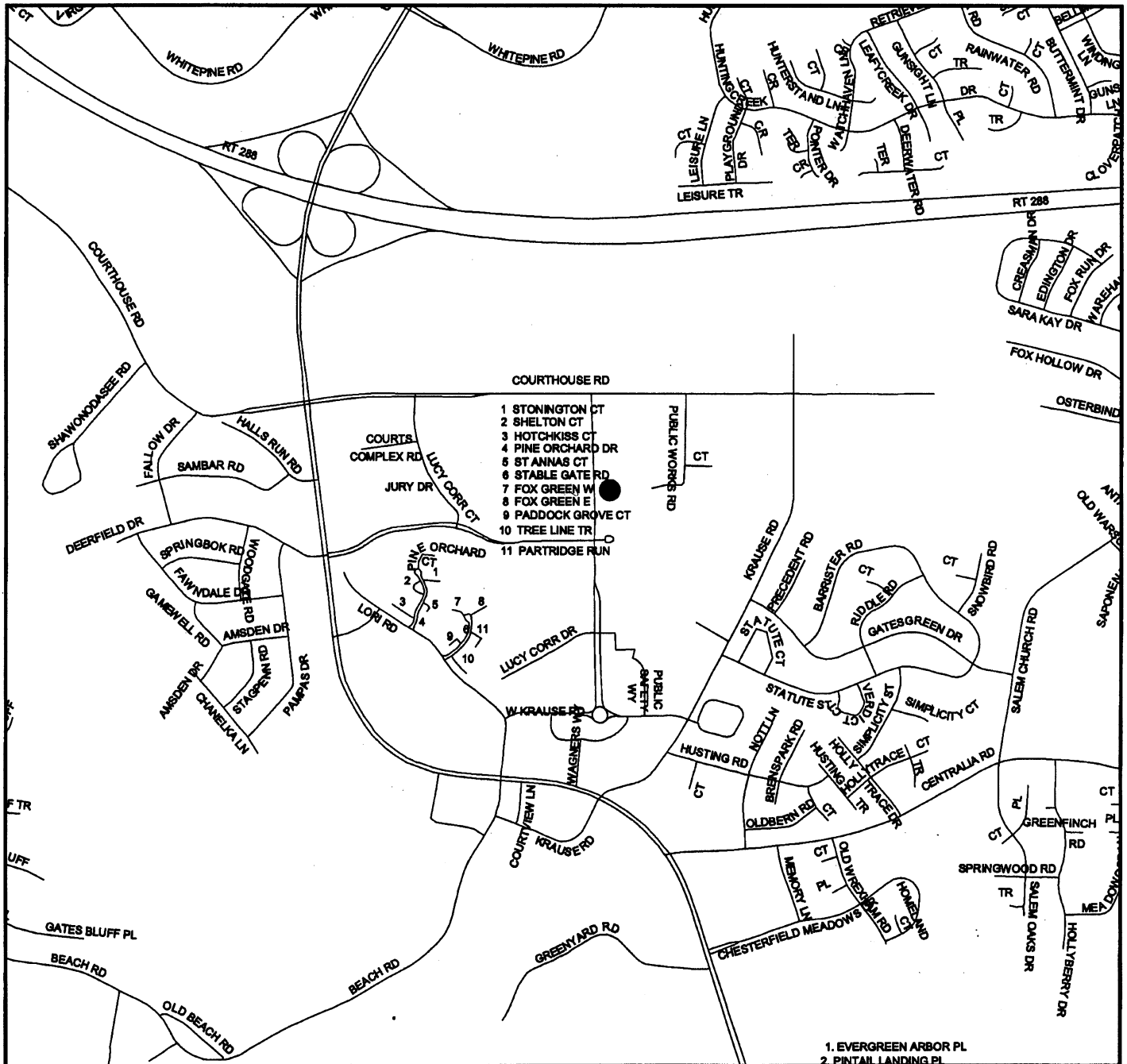


No

000172

VICINITY SKETCH

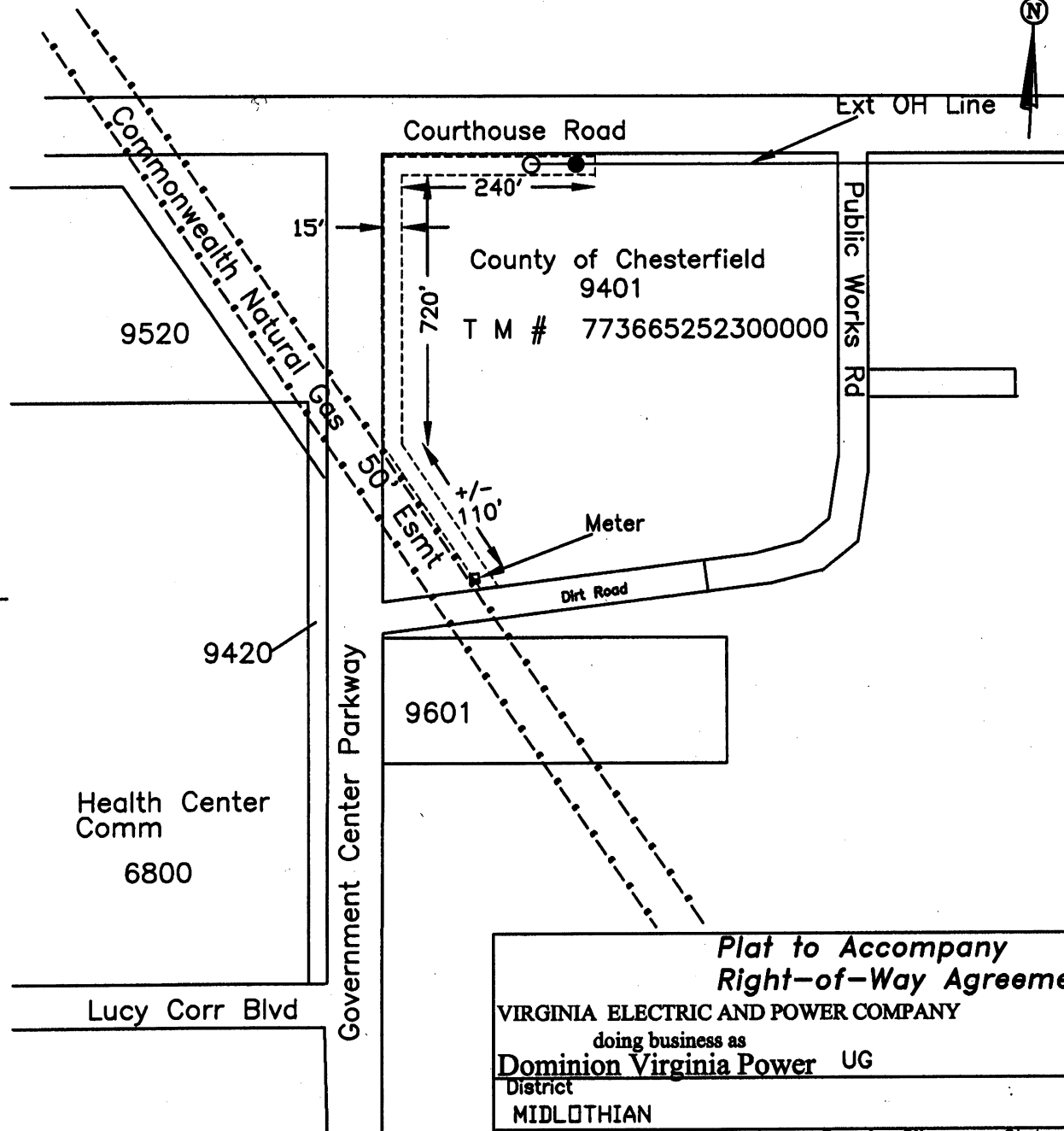
CONVEYANCE OF AN EASEMENT TO VIRGINIA
ELECTRIC AND POWER COMPANY



Chesterfield County Department of Utilities
Right Of Way Office



000173



Legend

- Location of Boundary Lines of Right-of-Way 15'
- == Indicates Property Line is Right-of-Way Boundary

Page of

Plat to Accompany Right-of-Way Agreement		
VIRGINIA ELECTRIC AND POWER COMPANY doing business as Dominion Virginia Power UG		
District MIDLOTHIAN		
District-Township-Borough DALE	County-City CHESTERFIELD VA	State VA
Office CENTRAL	Plat Number 0004-0085	
Estimate Number L2342	Grid Number L2342	
Date	By	

000174



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.12.b.

Subject: Conveyance of an Easement to Virginia Electric and Power Company

County Administrator's Comments:

Recommend Approval

County Administrator: _____

JBR

Board Action Requested: Authorize the Chairman of the Board of Supervisors and the County Administrator to execute an easement agreement with Virginia Electric and Power Company for underground cable to serve the Commonwealth Natural Gas cathodic protection system at Chesterfield County Airport.

Summary of Information:

Staff recommends that the Board of Supervisors authorize the Chairman of the Board of Supervisors and the County Administrator to execute an easement agreement with Virginia Electric and Power Company for underground cable to serve the Commonwealth Natural Gas cathodic protection system at Chesterfield County Airport.

District: Dale

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

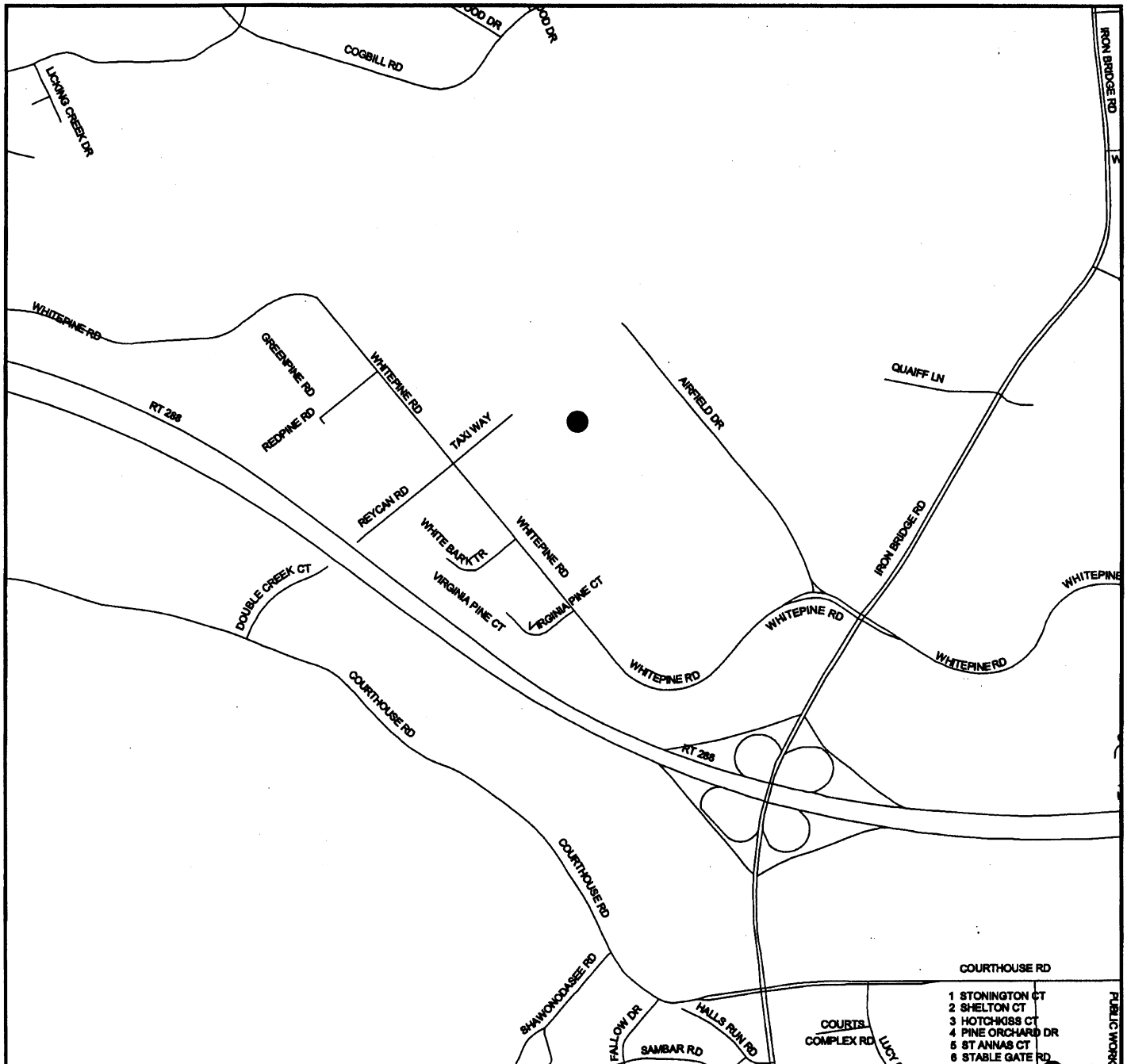


No

000175

VICINITY SKETCH

CONVEYANCE OF AN EASEMENT TO VIRGINIA ELECTRIC AND POWER COMPANY



Chesterfield County Department of Utilities
Right Of Way Office



000176



CHESTERFIELD COUNTY
Airport Property
TM # 768671389500000

4400' To Iron Bridge Road

Airfield Drive

7431

+/- 1980'

Commonwealth Gas Esmt

50'

Meter

Abandoned Air Strip

Ext Va Pwr Esmt

+/- 50'

15'

7820

7800

7740

7734

7730

Taxi Way

Whitepine Road

Rt. 701

**Plat to Accompany
Right-of-Way Agreement**

VIRGINIA ELECTRIC AND POWER COMPANY

doing business as

Dominion Virginia Power UG

District

MIDLOTHIAN

District-Township-Borough

DALE

County-City State

CHESTERFIELD VA

Office

CENTRAL

Plat Number

0004-0051

Estimate Number

Grid Number

L2343

Date

By

Legend

----- Location of Boundary Lines of Right-of-Way
15'

==e== Indicates Property Line is Right-of-Way
Boundary

Page of

000177



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.12.c.

Subject: Conveyance of an Easement to Virginia Electric and Power Company

County Administrator's Comments:

Recommend Approval

County Administrator: _____

JHR

Board Action Requested: Authorize the Chairman of the Board of Supervisors and the County Administrator to execute an easement agreement with Virginia Electric and Power Company for underground cable.

Summary of Information:

Staff recommends that the Board of Supervisors authorize the Chairman of the Board of Supervisors and the County Administrator to execute an easement agreement with Virginia Electric and Power Company for underground cable to upgrade its service in the Evergreen area.

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

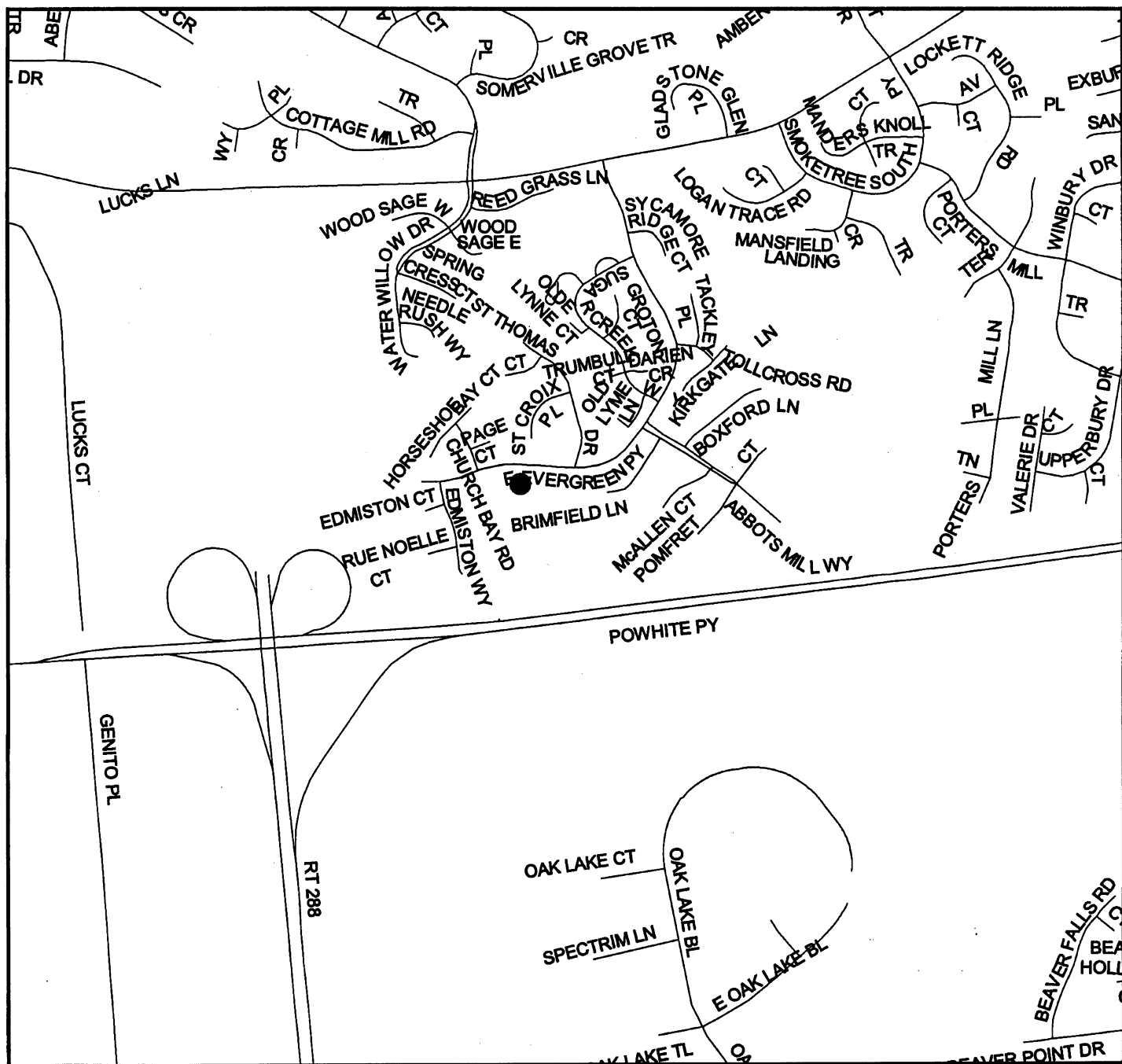


No

000178

VICINITY SKETCH

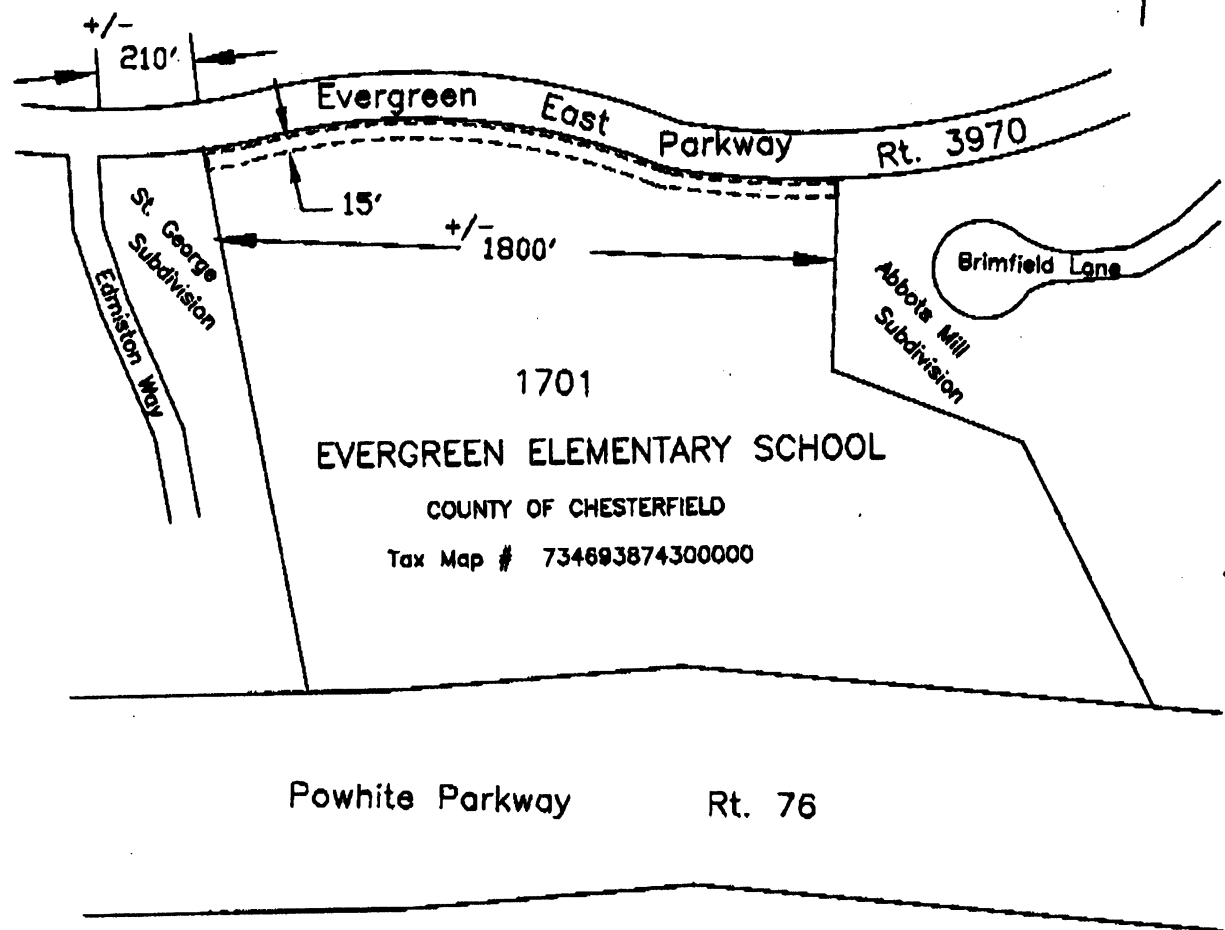
CONVEYANCE OF AN EASEMENT TO VIRGINIA
ELECTRIC AND POWER COMPANY



Chesterfield County Department of Utilities
Right Of Way Office



000179



1701
EVERGREEN ELEMENTARY SCHOOL

COUNTY OF CHESTERFIELD

Tax Map # 734693874300000

Powhite Parkway Rt. 76

Legend

- Location of Boundary Lines of Right-of-Way 15'
- Indicates Property Line is Right-of-Way Boundary

Plat to Accompany Right-of-Way Agreement		
VIRGINIA ELECTRIC AND POWER COMPANY doing business as Dominion Virginia Power UG		
District MIDLOTHIAN		
District-Township-Borough MATOACA	County-City CHESTERFIELD	State VA
Office CENTRAL	Plat Number 0004-0055	
Estimate Number 5821485	Grid Number L2046	
Date 4-6-04	By D. FALSON	



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.13.a.

Subject: Request to Quitclaim Twenty-Foot, Sixteen-Foot and Variable Width Sewer Easements Across the Property of Gray Land and Development Company, LLC

County Administrator's Comments: *Recommend Approval*

County Administrator: *[Signature]*

Board Action Requested: Authorize the Chairman of the Board of Supervisors and the County Administrator to execute quitclaim deeds to vacate 20', 16' and variable width sewer easements across the property of Gray Land and Development Company, LLC.

Summary of Information:

Gray Land and Development Company, LLC has requested the quitclaim of 20', 16' and variable width sewer easements across its property within Founders Bridge in Powhatan County as shown on the attached plats. Staff has reviewed the request and recommends approval.

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

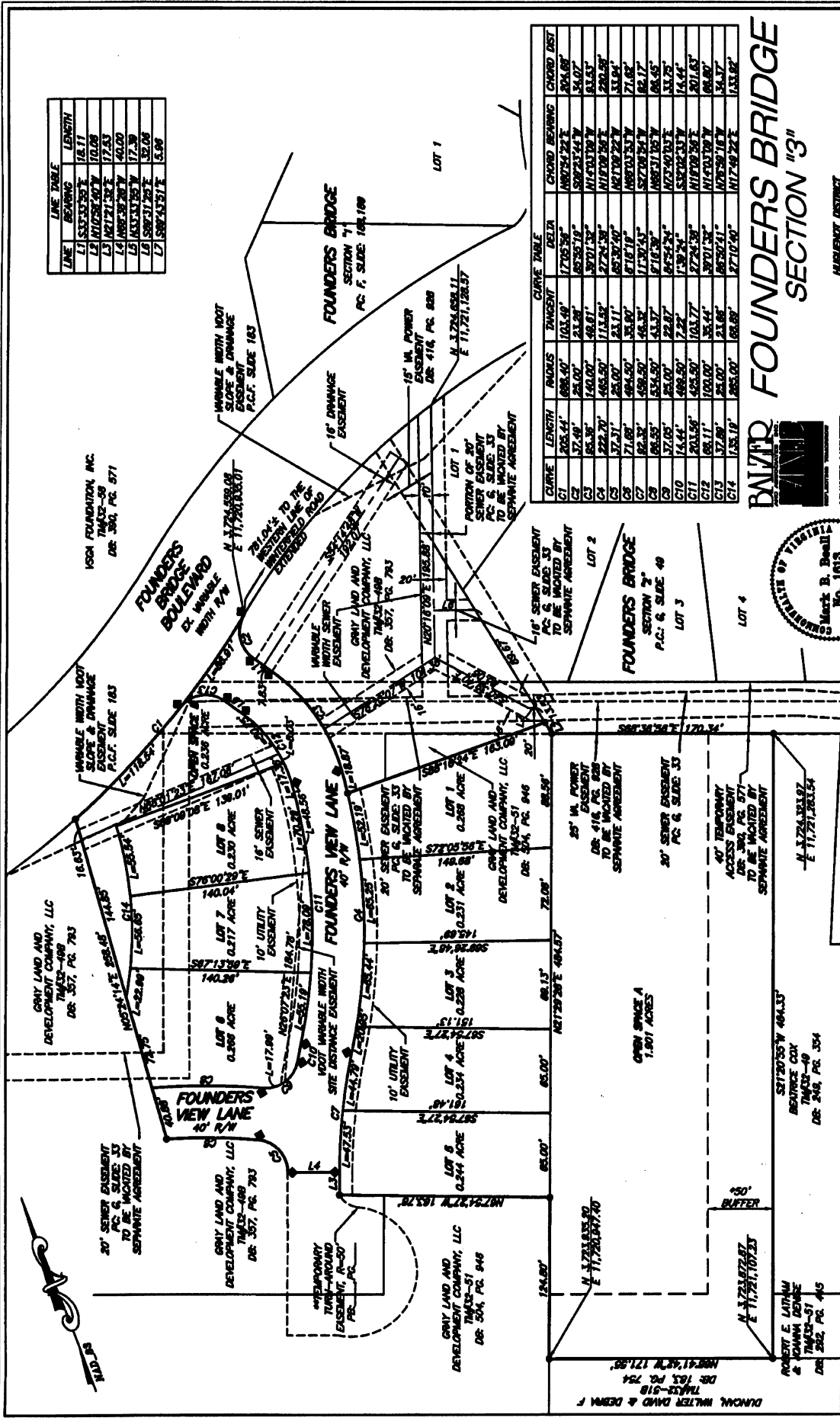


No

#

000181

LINE	BEARING	LENGTH
L1	S33°33'30"E	18.11
L2	N10°28'18"W	10.28
L3	N10°28'18"W	10.28
L4	N10°28'18"W	10.28
L5	N10°28'18"W	10.28
L6	N10°28'18"W	10.28
L7	N10°28'18"W	10.28
L8	N10°28'18"W	10.28
L9	N10°28'18"W	10.28
L10	N10°28'18"W	10.28
L11	N10°28'18"W	10.28
L12	N10°28'18"W	10.28
L13	N10°28'18"W	10.28
L14	N10°28'18"W	10.28
L15	N10°28'18"W	10.28
L16	N10°28'18"W	10.28
L17	N10°28'18"W	10.28
L18	N10°28'18"W	10.28
L19	N10°28'18"W	10.28
L20	N10°28'18"W	10.28
L21	N10°28'18"W	10.28
L22	N10°28'18"W	10.28
L23	N10°28'18"W	10.28
L24	N10°28'18"W	10.28
L25	N10°28'18"W	10.28
L26	N10°28'18"W	10.28
L27	N10°28'18"W	10.28
L28	N10°28'18"W	10.28
L29	N10°28'18"W	10.28
L30	N10°28'18"W	10.28
L31	N10°28'18"W	10.28
L32	N10°28'18"W	10.28
L33	N10°28'18"W	10.28
L34	N10°28'18"W	10.28
L35	N10°28'18"W	10.28
L36	N10°28'18"W	10.28
L37	N10°28'18"W	10.28
L38	N10°28'18"W	10.28
L39	N10°28'18"W	10.28
L40	N10°28'18"W	10.28
L41	N10°28'18"W	10.28
L42	N10°28'18"W	10.28
L43	N10°28'18"W	10.28
L44	N10°28'18"W	10.28
L45	N10°28'18"W	10.28
L46	N10°28'18"W	10.28
L47	N10°28'18"W	10.28
L48	N10°28'18"W	10.28
L49	N10°28'18"W	10.28
L50	N10°28'18"W	10.28
L51	N10°28'18"W	10.28
L52	N10°28'18"W	10.28
L53	N10°28'18"W	10.28
L54	N10°28'18"W	10.28
L55	N10°28'18"W	10.28
L56	N10°28'18"W	10.28
L57	N10°28'18"W	10.28
L58	N10°28'18"W	10.28
L59	N10°28'18"W	10.28
L60	N10°28'18"W	10.28
L61	N10°28'18"W	10.28
L62	N10°28'18"W	10.28
L63	N10°28'18"W	10.28
L64	N10°28'18"W	10.28
L65	N10°28'18"W	10.28
L66	N10°28'18"W	10.28
L67	N10°28'18"W	10.28
L68	N10°28'18"W	10.28
L69	N10°28'18"W	10.28
L70	N10°28'18"W	10.28
L71	N10°28'18"W	10.28
L72	N10°28'18"W	10.28
L73	N10°28'18"W	10.28
L74	N10°28'18"W	10.28
L75	N10°28'18"W	10.28
L76	N10°28'18"W	10.28
L77	N10°28'18"W	10.28
L78	N10°28'18"W	10.28
L79	N10°28'18"W	10.28
L80	N10°28'18"W	10.28
L81	N10°28'18"W	10.28
L82	N10°28'18"W	10.28
L83	N10°28'18"W	10.28
L84	N10°28'18"W	10.28
L85	N10°28'18"W	10.28
L86	N10°28'18"W	10.28
L87	N10°28'18"W	10.28
L88	N10°28'18"W	10.28
L89	N10°28'18"W	10.28
L90	N10°28'18"W	10.28
L91	N10°28'18"W	10.28
L92	N10°28'18"W	10.28
L93	N10°28'18"W	10.28
L94	N10°28'18"W	10.28
L95	N10°28'18"W	10.28
L96	N10°28'18"W	10.28
L97	N10°28'18"W	10.28
L98	N10°28'18"W	10.28
L99	N10°28'18"W	10.28
L100	N10°28'18"W	10.28



CURVE	LENGTH	RADIUS	ANGLE	DELTA	CHORD BEARING	CHORD DIST
C1	205.44'	688.40'	103.49'	170°55'30"	N80°24'22"E	304.88'
C2	37.40'	25.00'	23.98'	85°55'18"	S02°23'41"W	34.07'
C3	65.38'	140.00'	48.61'	30°01'32"	N14°03'00"W	63.53'
C4	222.70'	465.50'	113.92'	27°24'38"	N16°00'56"E	220.25'
C5	37.31'	25.00'	23.98'	85°55'18"	N16°00'56"E	34.07'
C6	21.87'	484.50'	33.90'	47°16'10"	N80°03'33"W	71.69'
C7	82.32'	458.50'	48.37'	11°30'43"	S27°08'24"W	82.17'
C8	68.85'	554.50'	43.37'	11°30'43"	N80°03'33"W	68.45'
C9	37.05'	25.00'	23.98'	85°55'18"	N73°40'03"E	34.07'
C10	16.44'	688.50'	22.87'	87°24'38"	S32°02'33"E	14.42'
C11	203.56'	458.50'	103.77'	27°24'38"	N16°00'56"E	201.63'
C12	68.11'	103.00'	35.44'	30°01'32"	N14°03'00"W	68.80'
C13	37.80'	25.00'	23.98'	85°55'18"	N16°00'56"E	34.07'
C14	135.19'	285.00'	68.89'	177°19'40"	N17°49'22"E	133.82'

DAVEY FOUNDERS BRIDGE
SECTION "3"



HURLENT DISTRICT
 FOWHMAN COUNTY, VIRGINIA
 DATE: DECEMBER 13, 2003 SCALE: 1"=50'
 SHEET 2 OF 2

APPROVED BY FOWHMAN COUNTY
 PLANNING DEPARTMENT

LOTS SHOWN ON THIS SHEET: 1-8

APPROVED BY FOWHMAN COUNTY
 PLANNING DEPARTMENT

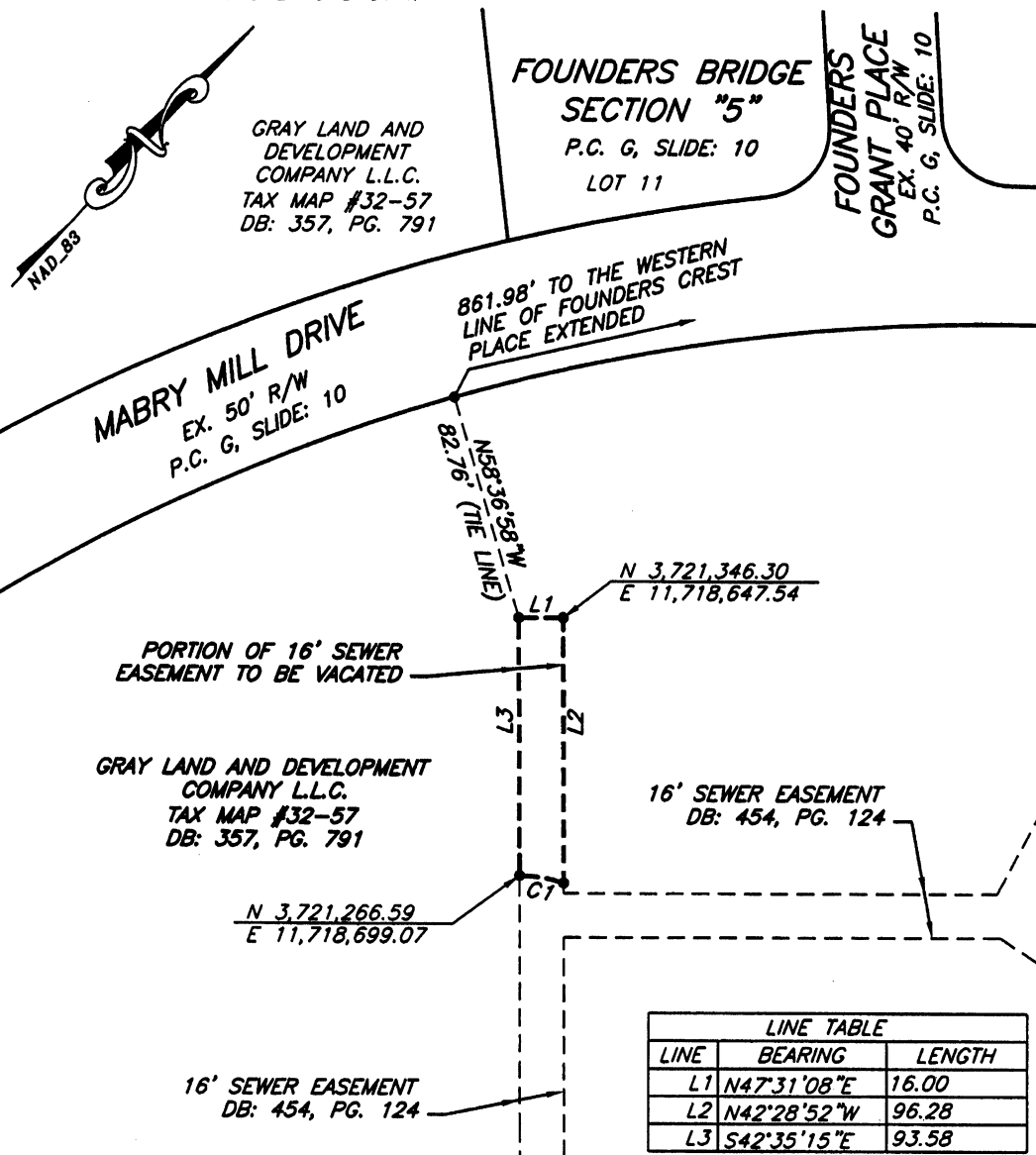
APPROVED BY FOWHMAN COUNTY
 PLANNING DEPARTMENT

APPROVED BY FOWHMAN COUNTY
 PLANNING DEPARTMENT

APPROVED BY FOWHMAN COUNTY
 PLANNING DEPARTMENT

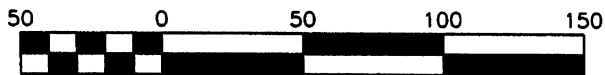
APPROVED BY FOWHMAN COUNTY
 PLANNING DEPARTMENT

NOTE: THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO INFORMATION WHICH MAY BE DISCLOSED BY SUCH. NOT ALL EASEMENTS AND NO IMPROVEMENTS SHOWN.



LINE TABLE		
LINE	BEARING	LENGTH
L1	N47°31'08"E	16.00
L2	N42°28'52"W	96.28
L3	S42°35'15"E	93.58

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	DELTA	CHORD BEARING	CHORD DIST
C1	16.12'	50.00'	8.13'	18°28'38"	S57°11'59"W	16.05'



Scale 1" = 50'

COUNTY PROJECT# 03-0293

DWG	JAB
CHK	MCT

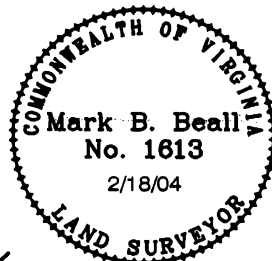
DATE: FEB. 18, 2004
SCALE: 1"=50'
JOB NO: C0200108

PLAT SHOWING A 16' SEWER EASEMENT TO BE VACATED CROSSING THE LANDS OF GRAY LAND AND DEVELOPMENT COMPANY, L.L.C.

HUGUENOT DISTRICT
POWHATAN COUNTY, VIRGINIA

PLANNERS • ARCHITECTS • ENGINEERS • SURVEYORS

1208 Corporate Circle • Roanoke, Virginia 24018 • Phone (540) 772-9580 • Fax (540) 772-8050
501 Branchway Road • Suite 100 • Richmond, Virginia 23236 • Phone (804) 794-0671 • Fax (804) 794-2635
880 Technology Park Drive • Suite 200 • Glen Allen, Virginia 23059 • Phone (804) 553-0132 • Fax (804) 553-0133



C:\C2002\C0200108 FOUNDERS\SURVEY\dwg\C0200108EA.dwg

000186



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.13.b.

Subject: Request to Quitclaim a Twenty-Foot Temporary Construction Easement Across the Property of 7501 Whitepine Road, L.L.C.

County Administrator's Comments: *Recommend Approval*

County Administrator: *LHP*

Board Action Requested: Authorize the Chairman of the Board of Supervisors and the County Administrator to execute a quitclaim deed to vacate a 20' temporary construction easement across the property of 7501 Whitepine Road, L.L.C.

Summary of Information:

7501 Whitepine Road, L.L.C. has requested the quitclaim of a 20' temporary construction easement across its property previously owned by Super Radiator Coil Ltd. Partnership and shown on the attached plat. Staff has reviewed the request and recommends approval.

District: Dale

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes



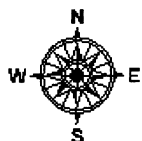
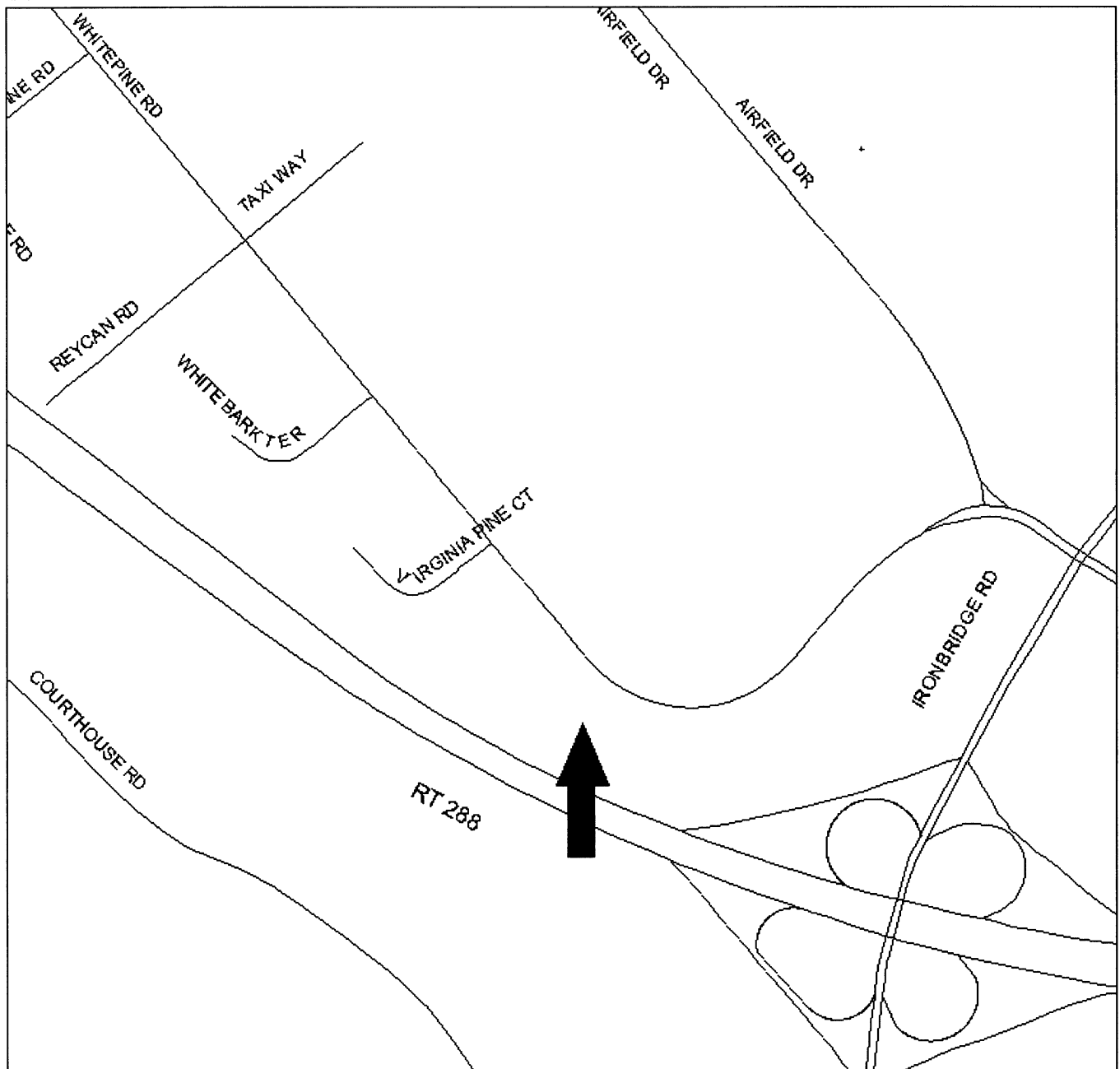
No

#

000187

VICINITY SKETCH

REQUEST TO QUITCLAIM A TWENTY FOOT TEMPORARY
CONSTRUCTION EASEMENT ACROSS THE PROPERTY OF
7501 WHITEPINE ROAD, L.L.C.

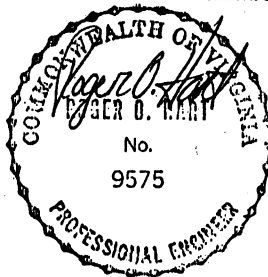
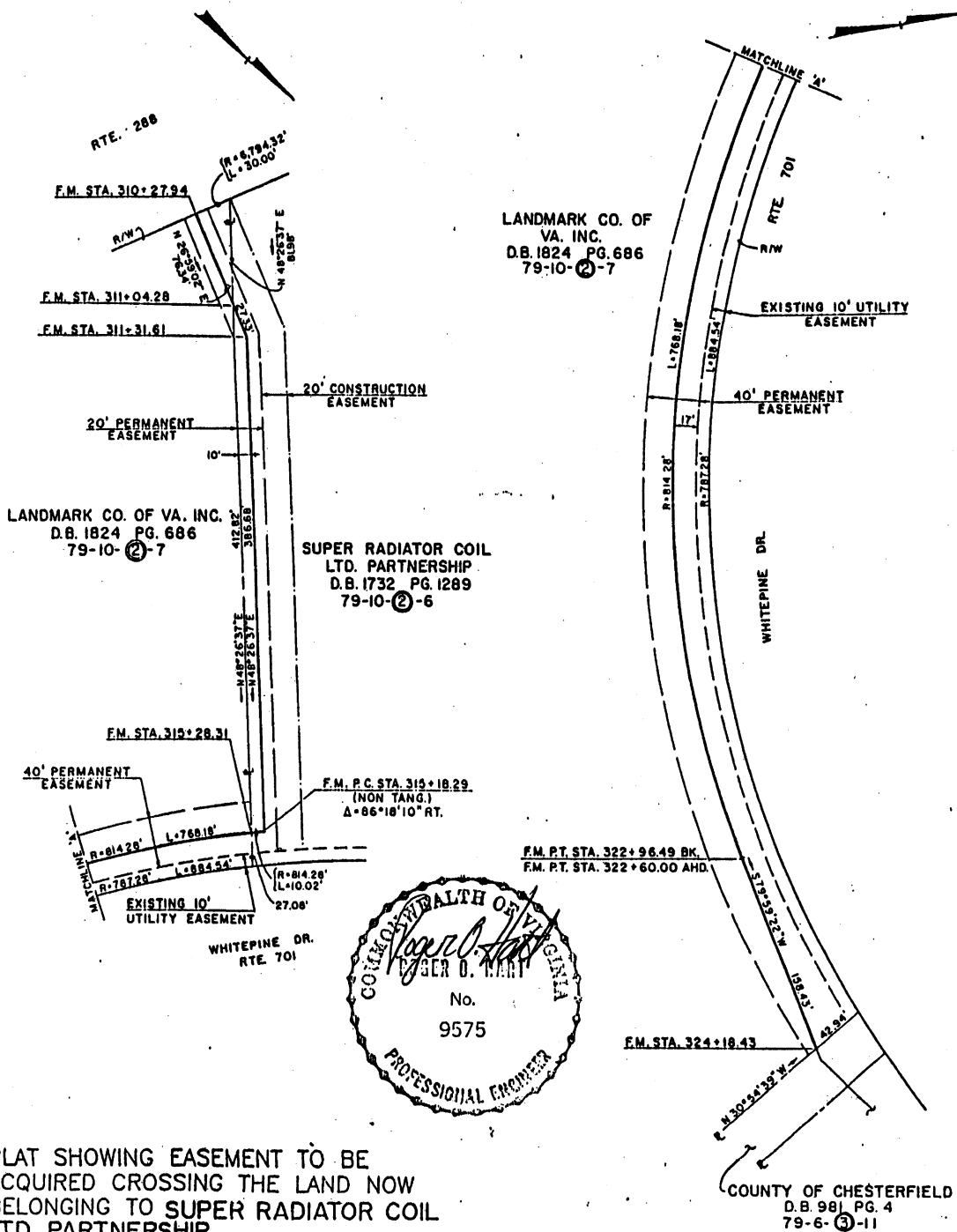


Chesterfield County Department of Utilities



1 inch equals 783.33 feet

000188



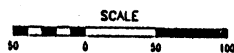
PLAT SHOWING EASEMENT TO BE
 ACQUIRED CROSSING THE LAND NOW
 BELONGING TO SUPER RADIATOR COIL
 LTD. PARTNERSHIP
 DALE DISTRICT
 CHESTERFIELD COUNTY, VIRGINIA

NOTE: MERIDIAN IS VIRGINIA STATE GRID.



R. STUART ROYER & ASSOCIATES, INC.
 CONSULTING ENGINEERS & SURVEYORS
 RICHMOND, VIRGINIA

DATE: APRIL 20, 1990



PROJECT NO. 8927

19

000189



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.13.c.

Subject: Request to Quitclaim a Portion of a Variable Width Virginia Department of Transportation Sight Distance Easement Across the Property of Sommerville Development Corporation

County Administrator's Comments:

Recommend Approval

County Administrator: _____

JWH

Board Action Requested: Authorize the Chairman of the Board of Supervisors and the County Administrator to execute a quitclaim deed to vacate a portion of a variable width VDOT sight distance easement across the property of Sommerville Development Corporation.

Summary of Information:

Sommerville Development Corporation has requested the quitclaim of a portion of a variable width VDOT sight distance easement across the property as shown on the attached plat. Wylderose Drive is being cul-de-saced and the speed limit reduced so a smaller sight distance easement is needed. Staff and VDOT have reviewed the request and approval is recommended.

District: Midlothian

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes

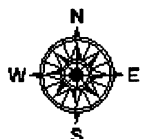
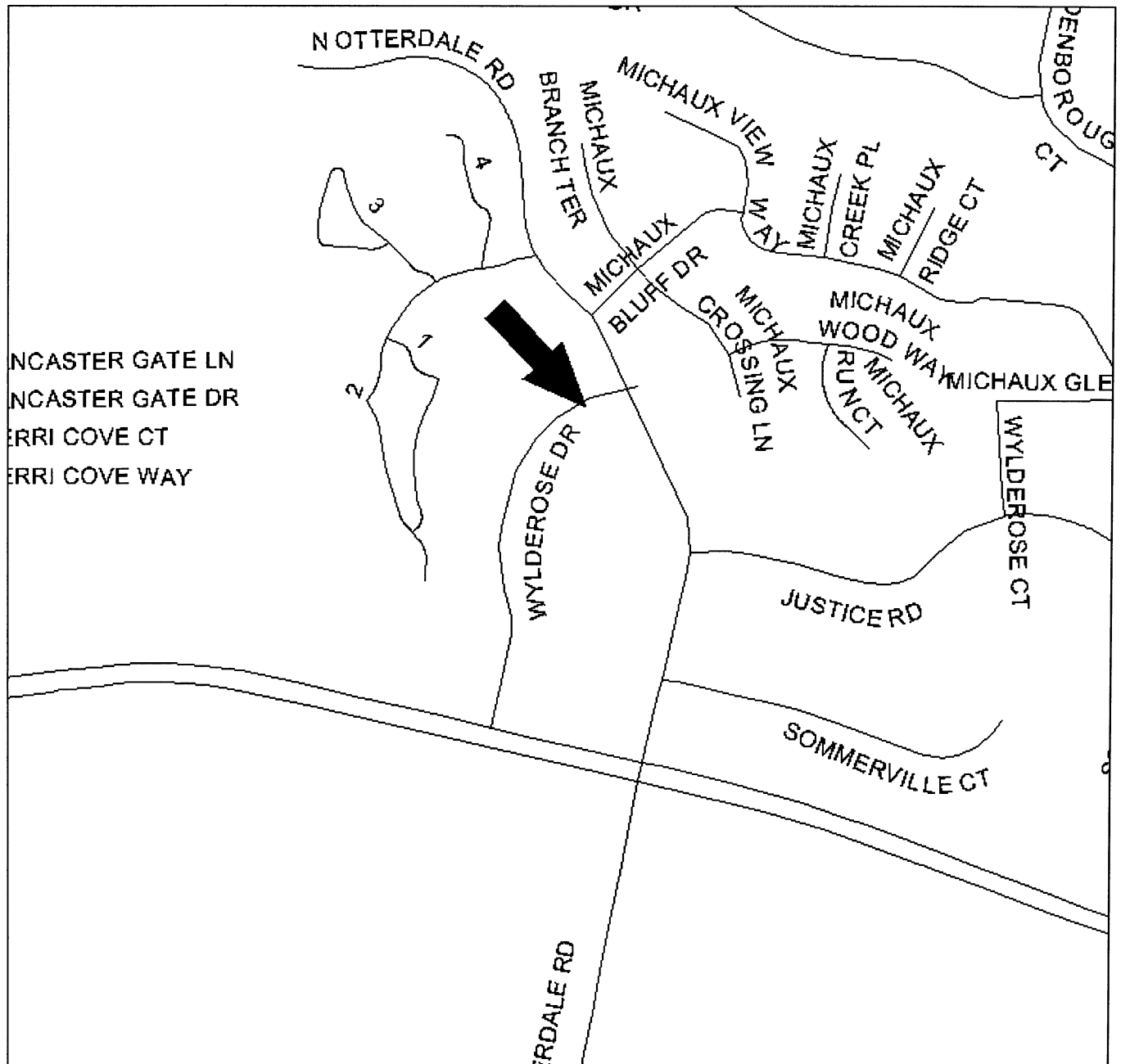


No

000190

VICINITY SKETCH

REQUEST TO QUITCLAIM A PORTION OF A VARIABLE WIDTH
VDOT SIGHT DISTANCE EASEMENT ACROSS THE PROPERTY OF
SOMMERVILLE DEVELOPMENT CORPORATION



Chesterfield County Department of Utilities

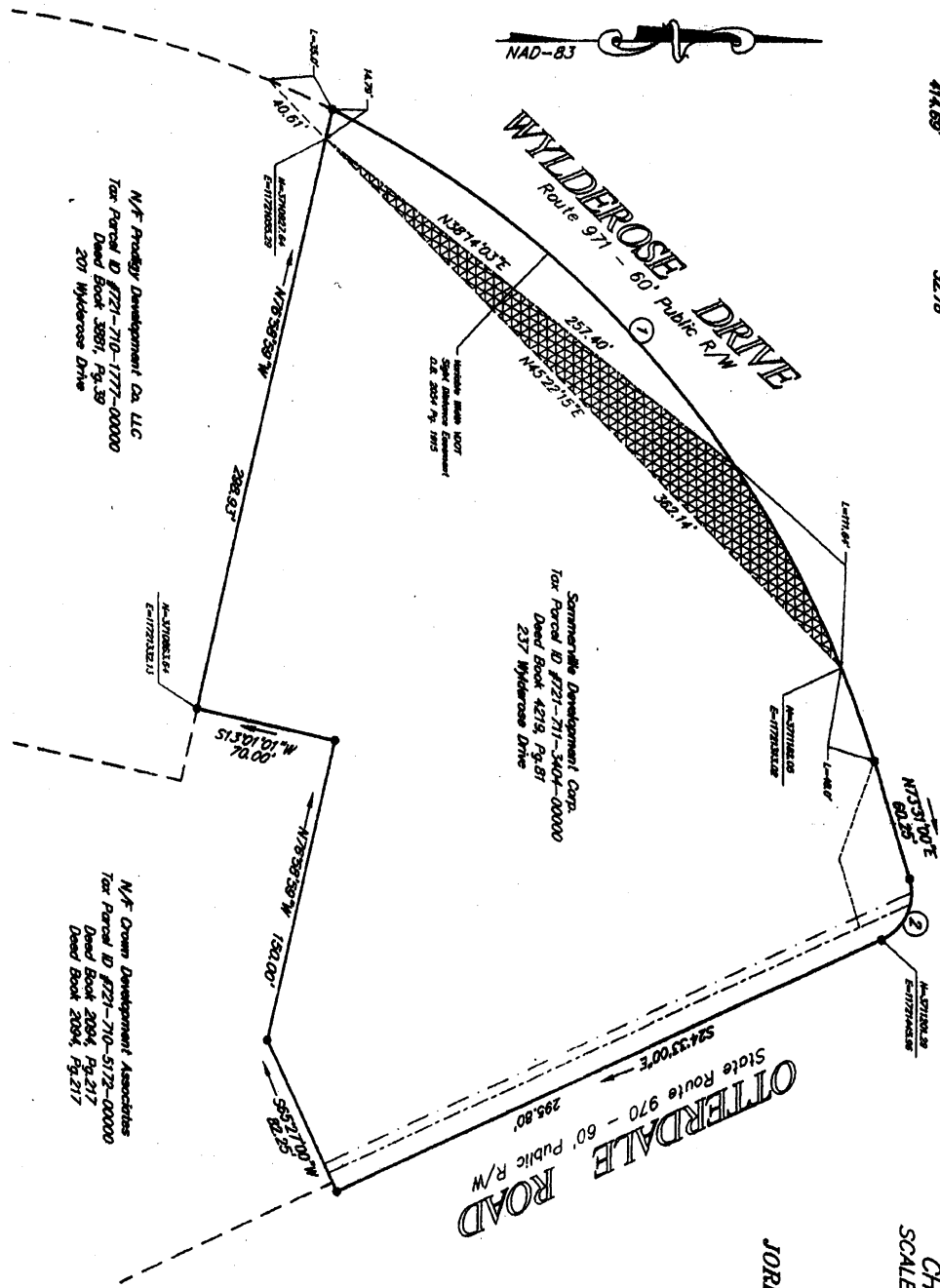


1 inch equals 583.33 feet

000191

①
 A=4707.24'
 R=518.71'
 L=438.82'
 T=228.31'
 CHD=44957187E
 414.69'

②
 A=8155.59'
 R=25.00'
 L=35.75'
 T=21.71'
 CHD=56533039'E
 32.78'



EASEMENT PLAT
 SHOWING A PORTION OF AN EXISTING
 VARIABLE WIDTH VDOT SIGHT DISTANCE
 EASEMENT, TO BE VACATED, ACROSS
 TAX PARCEL NO. 721-711-3404-00000,
 MIDDLEMAN MAGISTERIAL DISTRICT,
 CHESTERFIELD COUNTY, VIRGINIA.
 SCALE: 1" = 40' DATE: FEBRUARY 10, 2004

JORDAN CONSULTING ENGINEERS, P.C.
 2540 PROFESSIONAL ROAD
 RICHMOND, VIRGINIA 23235
 804-272-7009



Notes:
 1. Parcel lines & bounds shown herein were taken from courthouse records. This plat does not represent a current boundary survey of the parcel(s) depicted hereon.
 2. The hatched portion of this plat is for the location of a portion of the variable width VDOT sight distance easement.

03064802.LBS - 03064802.CRD - 03064831.DWG



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 8.A.14.

Subject: Consent for Right of Entry on County Property at Camp Baker

County Administrator's Comments: *Recommend Approval*

County Administrator: _____

JHR

Board Action Requested: Authorize the County Administrator to execute a consent for right of entry with the Virginia Department of Transportation.

Summary of Information:

The Virginia Department of Transportation (VDOT) requests permission to enter the county property at Camp Baker, 7600 Beach Road, to repair the roadside slope along Beach Road, which was damaged by Hurricane Isabel. This request has been reviewed by necessary staff and approval is requested.

District: Dale

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes



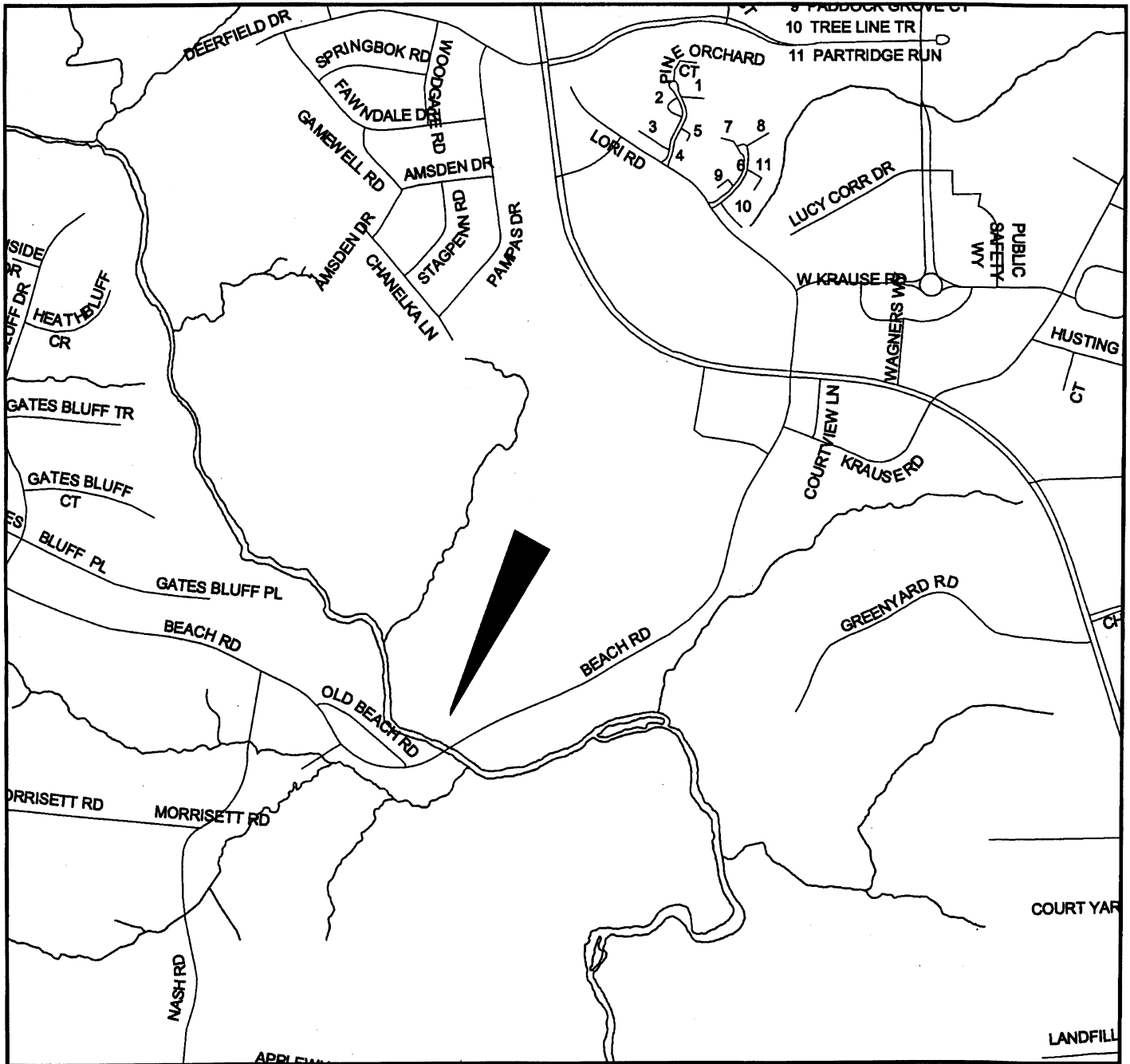
No

#

000193

VICINITY SKETCH

Consent for Right of Entry on County Property Camp Baker



Chesterfield County Department of Utilities
Right Of Way Office



000194



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 5

Meeting Date: May 26, 2004

Item Number: 8.A.15.

Subject: Amendment to the Board Minutes of April 14, 2004

County Administrator's Comments:

Recommend Approval

County Administrator: _____

JBR

Board Action Requested: Amend the minutes of April 14, 2004 as indicated below to reflect the correct property.

Summary of Information:

On April 14, 2004, the Board of Supervisors adopted an ordinance to vacate A twenty-foot temporary construction easement, a variable width temporary construction easement, a VDOT slope and drainage easement, and portions of Fortenberry Drive, within River's Trace, Sections B and C.

Staff recommends that the ordinance be amended FROM:

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board adopted the following ordinance:

AN ORDINANCE whereby the COUNTY OF CHESTERFIELD, VIRGINIA, ("GRANTOR") vacates to FOXFIELD CONSTRUCTION, INC., a Virginia corporation, JASON SEAMSTER and SHAWN T. SEAMSTER, CHRISTOPHER P. SPORTELO and CANDACE L. SPORTELO, (husband and wife), CHRISTOFFE L. MOREAU and DEANNA M. MOREAU, (husband and wife),

District: Matoaca

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:

☐

Yes

☒

No

#000195

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 5

and KENNETH A. HAYES and LEEANNE S. HAYES, (husband and wife), ("GRANTEE"), a 20' temporary construction easement, a variable width temporary construction easement, a VDOT slope and drainage easement, and portions of Fortenberry Drive within River's Trace, Sections B and C, MATOACA Magisterial District, Chesterfield County, Virginia, as shown on plats thereof duly recorded in the Clerk's Office of the Circuit Court of Chesterfield County in Plat Book 119, at Pages 35 and 39.

WHEREAS, FOXFIELD CONSTRUCTION, INC., petitioned the Board of Supervisors of Chesterfield County, Virginia to vacate a 20' temporary construction easement, a variable width temporary construction easement, a VDOT slope and drainage easement, and portions of Fortenberry Drive within River's Trace, Sections B and C, MATOACA Magisterial District, Chesterfield County, Virginia more particularly shown on plats of record in the Clerk's Office of the Circuit Court of said County in Plat Book 119, Pages 35 and 39, by BALZER AND ASSOCIATES, dated JUNE 5, 2001 and JUNE 21, 2001, and recorded JULY 18,, 2001 and JULY 19, 2001. The easements and portions of right of way petitioned to be vacated are more fully described as follows:

A 20' temporary construction easement, a variable width temporary construction easement, a VDOT slope and drainage easement, and portions of Fortenberry Drive within River's Trace, Sections B and C, the location of which is more fully shown on a plat made by BALZER AND ASSOCIATES, dated FEBURARY 5, 2004, and revised MARCH 29, 2004, a copy of which is attached hereto and made a part of this Ordinance.

WHEREAS, notice has been given pursuant to Section 15.2-2204 of the Code of Virginia, 1950, as amended, by advertising; and,

WHEREAS, no public necessity exists for the continuance of the easements and portions of right of way sought to be vacated.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF CHESTERFIELD COUNTY, VIRGINIA:

That pursuant to Section 15.2-2272 of the Code of Virginia, 1950, as amended, the aforesaid easements and portions of right of way be and are hereby vacated.

000196

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 3 of 5

This Ordinance shall be in full force and effect in accordance with Section 15.2-2272 of the Code of Virginia, 1950, as amended, and a certified copy of this Ordinance, together with the plat attached hereto shall be recorded no sooner than thirty days hereafter in the Clerk's Office of the Circuit Court of Chesterfield County, Virginia pursuant to Section 15.2-2276 of the Code of Virginia, 1950, as amended.

The effect of this Ordinance pursuant to Section 15.2-2274 is to destroy the force and effect of the recording of the portion of the plat vacated. This Ordinance shall vacate the easements to the underlying lot owners and vest fee simple title of the portion of right of way within River's Trace, Section B in the owners of Lot 10, and the portion of right of way within River's Trace, Section C in the owners of Lot 14, free and clear of any rights of public use.

Accordingly, this Ordinance shall be indexed in the names of the COUNTY OF CHESTERFIELD as GRANTOR, and FOXFIELD CONSTRUCTION, INC., a Virginia corporation, JASON SEAMSTER and SHAWN T. SEAMSTER, CHRISTOPHER P. SPORTELO and CANDACE L. SPORTELO, (husband and wife), CHRISTOFFE L. MOREAU and DEANNA M. MOREAU, (husband and wife), and KENNETH A. HAYES and LEEANNE S. HAYES, (husband and wife), or their successors in title, as GRANTEE.

TO:

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board adopted the following ordinance:

AN ORDINANCE whereby the COUNTY OF CHESTERFIELD, VIRGINIA, ("GRANTOR") vacates to FOXFIELD CONSTRUCTION, INC., a Virginia corporation, JASON SEAMSTER and SHAWN T. SEAMSTER, CHRISTOPHER P. SPORTELO and CANDACE L. SPORTELO, (husband and wife), CHRISTOFFE L. MOREAU and DEANNA M. MOREAU, (husband and wife), and KENNETH A. HAYES and LEEANNE S. HAYES, (husband and wife), ("GRANTEE"), a 20' temporary construction easement, a variable width temporary construction easement, a VDOT slope and drainage easement, and portions of Fortenberry Drive within River's Trace, Sections B and C, MATOACA Magisterial District, Chesterfield County, Virginia, as shown on plats thereof duly recorded in the Clerk's Office of the Circuit Court of Chesterfield County in Plat Book 119, at Pages 35 and 39.

000197

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 4 of 5

WHEREAS, FOXFIELD CONSTRUCTION, INC., petitioned the Board of Supervisors of Chesterfield County, Virginia to vacate a 20' temporary construction easement, a variable width temporary construction easement, a VDOT slope and drainage easement, and portions of Fortenberry Drive within River's Trace, Sections B and C, MATOACA Magisterial District, Chesterfield County, Virginia more particularly shown on plats of record in the Clerk's Office of the Circuit Court of said County in Plat Book 119, Pages 35 and 39, by BALZER AND ASSOCIATES, dated JUNE 5, 2001 and JUNE 21, 2001, and recorded JULY 18,, 2001 and JULY 19, 2001. The easements and portions of right of way petitioned to be vacated are more fully described as follows:

A 20' temporary construction easement, a variable width temporary construction easement, a VDOT slope and drainage easement, and portions of Fortenberry Drive within River's Trace, Sections B and C, the location of which is more fully shown on a plat made by BALZER AND ASSOCIATES, dated FEBURARY 5, 2004, and revised MARCH 29, 2004, a copy of which is attached hereto and made a part of this Ordinance.

WHEREAS, notice has been given pursuant to Section 15.2-2204 of the Code of Virginia, 1950, as amended, by advertising; and,

WHEREAS, no public necessity exists for the continuance of the easements and portions of right of way sought to be vacated.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF CHESTERFIELD COUNTY, VIRGINIA:

That pursuant to Section 15.2-2272 of the Code of Virginia, 1950, as amended, the aforesaid easements and portions of right of way be and are hereby vacated.

This Ordinance shall be in full force and effect in accordance with Section 15.2-2272 of the Code of Virginia, 1950, as amended, and a certified copy of this Ordinance, together with the plat attached hereto shall be recorded no sooner than thirty days hereafter in the Clerk's Office of the Circuit Court of Chesterfield County, Virginia pursuant to Section 15.2-2276 of the Code of Virginia, 1950, as amended.

000198

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 5 of 5

The effect of this Ordinance pursuant to Section 15.2-2274 is to destroy the force and effect of the recording of the portion of the plats vacated. This Ordinance shall vacate the easements to the underlying lot owners and vest fee simple title of the portion of right of way within River's Trace, Section B in the owners of the adjacent open space, and the portion of right of way within River's Trace, Section C in the owners of Lot 14, free and clear of any rights of public use.

Accordingly, this Ordinance shall be indexed in the names of the COUNTY OF CHESTERFIELD as GRANTOR, and FOXFIELD CONSTRUCTION, INC., a Virginia corporation, JASON SEAMSTER and SHAWN T. SEAMSTER, CHRISTOPHER P. SPORTELO and CANDACE L. SPORTELO, (husband and wife), CHRISTOFFE L. MOREAU and DEANNA M. MOREAU, (husband and wife), and KENNETH A. HAYES and LEEANNE S. HAYES, (husband and wife), or their successors in title, as GRANTEE.

Ayes: Miller, Barber, Humphrey, King and Warren.
Nays: None.

000199



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 3

Meeting Date: May 26, 2004

Item Number: 8.A.16.

Subject: Approval of FY 2004 School Board Capital Improvement Plan
Year-end Revisions

County Administrator's Comments:

Recommend Approval

County Administrator: _____

[Signature]

Board Action Requested:

The School Board requests the Board of Supervisors to increase the appropriation in the School Capital Improvements fund by \$253,300 by (1) appropriating \$537,700 of State Technology Initiative funds, and (2) reducing the funding from the Reserve for School Capital Improvements by \$284,400.

Summary of Information:

On January 28, 2003 the School Board approved the FY2004 School Capital Improvement Program totaling \$24,632,900, including the use of Virginia Public School Authority bonds (\$16,369,200), state construction funds (\$793,000) and CIP reserve (\$7,470,700). On December 11, 2003 the Board of Supervisors approved a revision to the CIP to increase appropriations to \$71,317,400 to accelerate the construction of the new Cosby Road High by entering into a comprehensive agreement under the PPEA.

Several other funding issues need to be addressed at this time.

Preparer: Billy K. Cannaday, Jr., Ed.D.

Title: Superintendent

Attachments:



Yes



No

000200

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 3

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1. Several renovation projects funded with 2002 General Obligation bonds need to be closed out as of June 30, 2004. These include **C. E. Curtis Elementary (\$36,000)**, **Grange Hall Elementary (\$175,000)**, **Clover Hill High (-\$795)**, and **Thomas Dale High (\$0)**. The balances in these projects will be moved to the new Cosby Road High project.
 2. The following renovation projects, funded with the Reserve for School CIP may be partially closed out at this time: **J. A. Chalkley Elementary (\$1,488,000)**, **Meadowbrook High (\$199,500)**, **Bailey Bridge Middle (\$103,752)**, as well as the new **Matoaca High (\$368,985)**. Limited funds remain in these projects to allow for final payments. The majority of these funds (\$1,875,042) will be placed in the **new Cosby Road High School** project for the acquisition of the right of ways required for road construction. A portion (\$795) will be appropriated to **Clover Hill High** renovation project in order to complete that project.
 3. The balance of \$284,400 will be returned to the Reserve for School Capital Improvements to be used for the School's share of the cost of renovating the old Chester Library to house the ERP implementation team. Surplus VPSA bonds (\$689,248) in the **Bailey Bridge Middle** project will be used to purchase a mega trailer (\$300,000) and \$389,248 will be moved to the **new Cosby Road High** project.
 4. Finally, Governor's Technology Initiative funds totaling \$537,700 need to be appropriated to the following projects: **Carver Middle (\$78,500)**, **Matoaca Middle (\$200,000)**, **Robious Middle (\$131,100)**, and **Salem Middle (\$128,100)**.

000201



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 3 of 3

Meeting Date: May 26, 2004

Budget and Management Comments:

The School Board is requesting approval of a \$253,300 appropriation increase in the school capital improvements fund. This is the result of receiving an additional \$537,700 in state technology initiative funds and also because funds will be returned to the schools' capital improvement reserve because projects are finished. The changes are summarized below.

Sources/Reductions:

Curtis Elementary-GO Bonds	\$ 36,000
Clover Hill High School-GO Bonds	(795)
Grange Hall Elementary-GO Bonds	175,000
Chalkley Elementary-School CIP Reserve	1,488,000
Meadowbrook High School-School CIP Reserve	199,500
Bailey Bridge Middle School-School CIP Reserve	103,752
Bailey Bridge Middle School-VPSSA Bonds	689,248
Matoaca High School-School CIP Reserve	368,985
Subtotal Reductions	<u>3,059,690</u>

Increase in Governor's Technology Funds	<u>537,700</u>
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Total Sources/Reductions:	\$ 3,597,390
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Uses:

Cosby Road High School - road	\$2,474,495
Clover Hill High School	795
Purchase of a Mega Trailer	300,000
Carver Middle School	78,500
Matoaca Middle School	200,000
Robious Middle School	131,100
Salem Middle School	<u>128,100</u>

Subtotal Uses:	3,312,990
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Return to the School's CIP Reserve	<u>284,400</u>
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Total Uses:	\$3,597,390
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Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000202

**CHESTERFIELD COUNTY PUBLIC SCHOOLS
SCHOOL CIP PROJECT REPORT
RECOMMENDED REVISIONS**

	<u>1996 GO</u>	<u>VP</u>	<u>CIP</u>	<u>State Gov</u>	<u>County</u>	<u>Food Service</u>	<u>Total</u>
<u>New Facilities</u>	<u>Bonds/Interest</u>	<u>Bonds</u>	<u>Reserve</u>	<u>Tech & CIP</u>	<u>Proffers</u>	<u>Transfer</u>	<u>Revisions</u>
New Matoaca High School			(368,985)				(368,985)
New Genito Road High School							0
New Cosby Road High School	211,000	389,248	1,875,042				2,475,290
Total New Facilities	211,000	389,248	1,506,057	0	0	0	2,106,305
Renovations							
J A Chalkley Renovations			(1,488,000)				(1,488,000)
C. E. Curtis Elem Renov/Cafe & Gym	(36,000)						(36,000)
Grange Hall Elem Renovations	(175,000)						(175,000)
Greenfield Elem Renovations							0
J G Hening Renovations							0
Bailey Bridge Middle School		(689,248)	(103,752)				(793,000)
Chester Middle Renovations							0
Clover Hill High Renovations			795				795
Manchester HS Renovations							0
Meadowbrook HS Renovations			(199,500)				(199,500)
Midlothian Field House							0
Monacan HS Field House							0
Thomas Dale High Renovations							0
Technical Center Renovations							0
Total Renovations	(211,000)	(689,248)	(1,790,457)	0	0	0	(2,690,705)
Food Service Projects:							
Bellwood FS Renovations						0	0
Bon Air FS Renovations						0	0
Chalkley FS Renovations						0	0
Crestwood FS Renovations						0	0
Curtis FS Renovations						0	0
Davis FS Renvoations						0	0
F C Elem FS Renovations						0	0
Gordon Elem FS Renovations						0	0
Grange Hall Elem FS Renovations						0	0
Harrowgate FS Renovations						0	0
Hening FS Renovations						0	0
Watkins FS Renvoations						0	0
Bailey Bridge MS FS Renovations						0	0
Chester MS FS Renovations						0	0
Falling Creek Middle FS Renovations						0	0
Manchester Middle FS Renovations						0	0
Midlothian Middle FS Renovations						0	0
Robious Middle FS Renovations						0	0
Salem Middle FS Renovations						0	0
Swift Creek Middle FS Renovations						0	0
Perrymont Road FS Renovations						0	0
L C Bird HS FS Renovations						0	0
Clover Hill HS FS Renovations						0	0
James River HS FS Renovations						0	0
Manchester HS FS Renovations						0	0
Matoaca HS FS Renovations						0	0
Midlothian HS FS Renovations						0	0
Monacan HS FS Renovations						0	0
Thomas Dale HS FS Renovations						0	0
Total Food Service Projects	0	0	0	0	0	0	0
Supervision/Debt/Other							
Supervision & Contingency							0
School CIP Debt Transfer							0
Parks & Recreation Maintenance							0
School Maintenance		300,000					300,000
Spring Run Elem/Hensley Road							0
Carver Middle Technology				78,500			78,500
Matoaca Middle Technology				200,000			200,000
Robious Middle Technology				131,100			131,100
Salem Middle Technology				128,100			128,100
JRHS Gov Technology							0
Midlothian HS Gov Technology				0			0
Monacan HS Gov Technology				0			0
Chesterfield Community HS Technology				0			0
Technology Infrastructure & Equipment							0
Total Supervision/Debt/Other	0	300,000	0	537,700	0	0	837,700
TOTAL ALL SCHOOL CIP PROJECTS	\$0	\$0	(\$284,400)	\$537,700	\$0	\$0	\$253,300

000203

VIRGINIA: At a regular meeting of the Chesterfield County School Board held Tuesday evening, May 11, 2004, at seven-thirty o'clock in the Public Meeting Room at the Chesterfield County Courthouse Complex

PRESENT: James R. Schroeder, D.D.S., Chairman
Marshall W. Trammell, Jr., Vice-Chairman
Elizabeth B. Davis
Thomas J. Doland
Dianne E. Pettitt

RESOLUTION

WHEREAS two school projects are complete and the surplus GO bond funds of \$211,000 in these projects is requested to be used to fund the New Cosby Road High School project; and, **WHEREAS** Bailey Bridge Middle renovation project has \$689,248 of surplus VPSA funding and \$369,248 needs to be transferred to the new Cosby Road High project and \$300,000 used for the purchase of a mega trailer; and, **WHEREAS** several renovation projects with \$2,159,442 of surplus Reserve for School Capital Improvement funding need to be partially closed transferring \$1,875,042 to the new Cosby Road High School project and \$284,400 being returned to the Reserve for School Capital Improvements in order to be used for renovations at the old Chester Library to house the ERP implementation team; and, **WHEREAS** four technology infrastructure projects need to be funded with \$537,700 from the State Governor's Technology Initiative funds; **NOW THEREFORE BE IT RESOLVED** that on motion of Mr. Trammell, seconded by Mr. Doland, the School Board requests the Board of Supervisors to appropriate an additional \$253,300 to the School Capital Improvements Fund for revisions as described in this agenda item.

Carol Timpano, Clerk

Billy K. Cannaday, Jr., Ed.D., Superintendent



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 9.

Subject:

Citizen Request to Address the Board Under "Hearings of Citizens on
Unscheduled Matters"

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

Summary of Information:

In accordance with Board procedures, Joe Cacciotti has requested the opportunity to speak under § 6 of the Board's procedures to ask the Board to join with Henrico and the City of Richmond to file a lawsuit to recover any additional costs for renovating the Diamond. (See attached.)

Preparer: Steven L. Micas

Title: County Attorney
0800:65376.1

Attachments:



Yes



No

#000205

RWL

Minetree, Beverly

From: Elko, Lisa
Sent: Tuesday, May 11, 2004 1:18 PM
To: Minetree, Beverly
Subject: FW: Request to address Board of Supervisors

Bev,

He wants to speak on May 26th at 3:30 p.m.

Lisa
 -----Original Message-----
From: FilmVa@aol.com [mailto:FilmVa@aol.com]
Sent: Wednesday, April 28, 2004 9:53 AM
To: Elko, Lisa; Ramsey, Lane
Cc: Miller, Kelly; Barber, Edward B.; King, Dickie; Humphrey, Renny; Warren, Art
Subject: RE: Request to address Board of Supervisors

April 28, 2004

To: Lane Ramsey, County Manager
 Lisa Elko, Clerk to the Board of Supervisors

Subject: Addressing the Board on the matter of renovation of The Diamond funds,
 Richmond Baseball Initiative (RBI) and initiating a lawsuit, in cooperation with Henrico and the
 City of Richmond, for any added cost if renovation of The Diamond should occur since Chesterfield is a
 voting Board Member of the Richmond Metropolitan Authority (RMA).

On April 27, I made a presentation to Henrico's Board requesting all jurisdictions involved with the RMA related to
 The Diamond initiate a lawsuit against RBI for the possibility of recouping funds. One Henricoc Board Member had
 asked if I was also making a presentation to Chesterfield and the City of Richmond, which I stated I would.

Just to let you know, I am asking to request to address the City of Richmond's Council on May 4th to make the same
 proposal.

I will shortly send by email a hard copy of my proposed presentation along with information relating to this issue to all
 Board Members, County Manager and County Attorney.

If there are any questions, you may call me anytime.

Thank you for your consideration.

Sincerely,

Joe Cacciotti
 Signed by email

804-272-8787 home
 804-301-6111 cell
 800-490-1988 pager
 804-272-7115 fax
 Email: FilmVA@aol.com

000206

5/11/2004

Minetree, Beverly

From: Elko, Lisa
Sent: Tuesday, May 11, 2004 1:18 PM
To: Minetree, Beverly
Subject: FW: RMA (The Diamond) vs RBI Statement

-----Original Message-----

From: FilmVa@aol.com [mailto:FilmVa@aol.com]
Sent: Wednesday, April 28, 2004 11:05 AM
To: Miller, Kelly; Barber, Edward B.; King, Dickie; Humphrey, Renny; Warren, Art; Elko, Lisa; Ramsey, Lane; Micas, Steve
Subject: RE: RMA (The Diamond) vs RBI Statement

Below is my statement I would like to publicly address the Board of Supervisors.
I have also attached the same to this email.

Opening Statement.

Mr. Chairman, Board Members, County Manager and County Attorney.

I am Joe Cacciotti, a resident of Chesterfield County.

I come before this Board only because Chesterfield is one of the voting Board Members of the Richmond Metropolitan Authority (RMA).

As you know, a joint agreement between Chesterfield, Henrico and the City of Richmond to operate and maintain The Diamond was formed many years ago.

You are well aware of the request Mr. Mike Berry, General Manager of the RMA, presented before this Board last fall requesting Chesterfield and the other two jurisdictions to commit a total of \$18.5 million dollars to renovate The Diamond. He also stated it was imperative, the three jurisdictions implement this commitment immediately so the renovations to The Diamond can begin, as early as last fall.

Since the three jurisdictions had made the commitment, Richmond Baseball Initiative (RBI) has thrown a curve ball into the works by suggesting a new Diamond should be built in downtown Richmond.

To date, RBI has been secretive about this by keeping the public less informed.

By suggesting a new ballpark be built, RBI has delayed and forced any planned renovations to The Diamond to begin at a later date. More than likely this delay has now caused a higher renovation cost, which in turn will cost the taxpayers more money being committed.

I also believe RBI's dream of building a new ballpark downtown, has caused the Richmond Braves into not signing a longer-term lease. The Richmond Braves have recently signed only to a 3-year contract with a clause allowing them the options either to withdraw from the contract or to renew on a year-to-year basis. This 3-year contract has now thrown uncertainty into the situation. A situation the three jurisdictions have not asked for nor want. This is not fair to the jurisdictions and the taxpayers who were willing to make a commitment of public funds to renovate the existing Diamond. I cannot blame the Braves for signing a shorter contract. If you did not know who your landlord was going to be after 3 years, would you sign a 10 or 15-year lease?

Therefore, I am asking all three jurisdictions to protect the taxpayer's investments and commitments, related to the current ballpark, by seeking legal action against RBI to recover any rising cost and expenses the three jurisdictions may incur when The Diamond is renovated at a later date.

5/11/2004

000207

The longer the jurisdictions wait to initiate a lawsuit against RBI; the likely hood of higher costs will be incurred when The Diamond is renovated. Immediate action must take place now by the three jurisdictions against RBI while RBI is a formed group with money in the bank and 17 investors on board.

If the three jurisdictions fail to take any action against RBI and RBI is disbanded, the jurisdictions will have no recourse to recoup any rising cost incurred and the taxpayers will be left to absorb the increased cost in renovations.

This is a business ladies and gentleman, and the current business at hand should be to protect the taxpayer's interest. RBI should be sued for any increased cost of renovation. The three jurisdictions must force the renovation of the Diamond to begin this year and request a 15-year minimum contract with the Richmond Braves.
End of opening statement.

The following is information and comments relating to RMA and RBI. If allowed to speak before the Board, I will not be addressing the Board with this information, unless time allows or I am requested to make a full presentation. However, I do hope you all will consider the information or lack of below.

Richmond Baseball Initiative (RBI) has done everything they can for the last seven months to be secretive on their proposal by refusing to disclose who is part of RBI and their investors. Why? Whom are they afraid of is the first question and getting an answer of, we were not prepared because we do not have all the answers, is not good enough. The question was not about what is your proposal, but who are the parties involved with RBI. By not answering this months ago, has one assuming they have something to hide. We now have this answer somewhat, but there are many parties involved that are not mentioned.

If RBI has the funds for studies, etc., then shouldn't there be a corporation or some paperwork documentation showing who the officers are, etc.? Maybe Gary Armstrong with First Market Bank can tell us if any RBI funds are in his bank. RBI claims they have raised \$500 thousand in donations and in-kind for services and have 17 investors. So where is this money and where is the paperwork?

Tim Davey and Dave Anderson are with the Timmons group and are listed as RBI members. Just to let you know, the Timmons Group is also the group pushing for the private ownership of the Powhite toll road extension into Chesterfield. I have been told this group is quietly buying property in the proposed area of the Powhite extension in Chesterfield even though the proposal has not been approved by VDOT. The Timmons Group I am sure is preparing on having property that is refusing to sell, seized by declaring eminent domain and I wouldn't doubt they have told some homeowners they would do this.

How community friendly is the Timmons Group? Not very community friendly. They are only friendly to the almighty dollar. If you do not believe me of what I think is occurring relating to the Powhite extension, ask the Timmons Group and effected properties if this is not true. Survey the neighborhoods or homes that will be eliminated. I am sure they will tell you this is true, unless they have signed an agreement not to disclose information, which I also hope you will ask them. Several people at a public meeting a few months ago told me this was occurring with the Timmons Group.

Here are some more facts, questions and comments about the Diamond that are not being addressed:

- 1) RBI states the total cost to build a new stadium will be around \$58 million and is asking \$18.5 million from Chesterfield, Henrico and City of Richmond that was slated for the Diamond renovation.

Why is RBI asking for money from the taxpayer to build a new stadium? Isn't this a form of corporate welfare using taxpayer money?

Already RBI is setting up the City to ask for special favors in real-estate tax breaks, donation of land and I am sure it will not be long before a request for increased in funding. RBI's website already suggests this possibility will happen.

000208

I am willing to also bet RBI will soon ask the State for funds or tax breaks and an agreement on State Parking Facilities when this proposal is firm.

How does this group plan to make money on this proposal? They have not showed this to anyone nor has anyone asked this question. If they are requesting a partnership with the taxpayers, then the taxpayers have the right to know. I know they are not doing this out of the kindness of their hearts.

Currently the Richmond Braves receives their income from ticket sales and concessions. The RMA receives income only from skybox rentals, sales and admission tax and parking, which is put towards the upkeep of the current Diamond and to offset the localities investment. So if RBI builds a new stadium, who receives what funds? If it remains the same, then RBI will not receive any income from building a new stadium. So what is the point and profit for RBI? Where is this hidden income for the investors to invest?

- 2) Chesterfield County has pulled their proposed funding of renovating the Diamond until the issue of relocating has been resolved. If the Diamond is relocated downtown, I am hoping that Chesterfield's taxpayer funds will not be included.

Why hasn't RBI publicly addressed this problem of Chesterfield pulling their funding back? Mr. Berry with the RMA spoke before the Chesterfield Board begging for funds for the Diamond renovation last fall. I also spoke before the Chesterfield Board and told them the RMA was not informing them of the likelihood of a new stadium being built downtown. Why didn't Mr. Berry tell the board of the proposal of a new stadium? I also stated the RMA and Mr. Berry should not be trusted on anything they may say. After I notified the Board, Mr., Berry was asked if this was true about relocating the stadium downtown, which he reluctantly confirmed.

I am very happy to see Chesterfield's Board now knows I was telling them the truth and have recently rescinded giving any money for the Diamond renovation. I will continue to make sure Chesterfield does not add any money for a new stadium in downtown Richmond.

- 3) When asked who will own the new Diamond, RBI skirts the question by stating on their website "We would like to see the continuation of the RMA as manager of the facility. This issue ultimately will be decided by the localities involved in the financing and the developer".

So who will own the new Diamond? RBI is very good on not answering simple questions but is creative in avoiding the answer. Is RBI suggesting the localities will do a 50/50 partnership with the developer? Have you ever known a business not to have a plan of action? What is RBI's plan of action? Where is their business plan? This proposal of building a new stadium is so sneaky, the localities will not know what is going on until they are in too deep financially and cannot pull out.

This leaves one to assume, at a later date, RBI will request to be the deed holder of the new stadium and the taxpayers will still have to pay off any bonds and the RMA will remain as the manager of the new stadium. So why hasn't this been spelled out in RBI's proposal?

I think RBI is setting up the localities for the possibility of becoming the sole owner at a later date. Why do I think this will happen? Because it makes great business sense to keep parties involved in the dark until you have them where you want them. Have you ever played poker? Think about it. This scenario will happen regardless of the lies that will be told by RBI, the developer and investors before they are able to make their move.

- 4) If a new stadium is built, VCU wants the old Diamond. Why should Chesterfield, Henrico and the City of Richmond give up their taxpayer funds to VCU? What will the benefit be to the localities if this request is made? All jurisdictions are in need of money, so if VCU wants the old Diamond, then they should buy it at a fair market price.
- 5) From the Richmond Times Dispatch, April 21, 2004; "Meanwhile, city officials say they aren't ready to consider declaring eminent domain and taking private property for a stadium." "If you don't have site control, then what are you going to do?" asked Mayor Rudolph C. McCollum Jr. "We are much too far away from

anything to make me even consider eminent domain."

Eminent domain? Hmm, seems the Timmons Group is knowledgeable on this subject so count on this happening to many properties in the area that refuse to sell.

- 6) The RMA who owns the Diamond is made up of 11 Board members authorized by the VA. General Assembly. Six members are from Richmond and two each from Chesterfield and Henrico and one from the Commonwealth Transportation Board.

When the RMA Board was formed, it was for building the Downtown Expressway, nothing more, nothing less. The City was given more voting power only because they put some of their money up to have the expressway built. This was fair at the time, because when the expressway was paid; the City will be the sole owner. The expressway unfortunately will not ever be paid up in our lifetime even though it is expected to be paid off in 2022 and when that happens, the City of Richmond will be the sole owner. The current RMA debt on the Downtown Expressway is over \$120 million and is scheduled to increase when the toll plazas are expanded.

Since the creation of the RMA, the RMA has expanded into parking decks and the Diamond. What has not changed is the equal voting power among the jurisdictions. Any decisions made by the RMA Board have Chesterfield and Henrico out voted before any votes are submitted. Is this fair to Chesterfield and Henrico who are asked to share equally in upkeep cost of the Diamond? The City of Richmond and the neighboring counties of Chesterfield and Henrico agreed to absorb equally any risks and shortfalls in operating revenue and debt repayment related to the current Diamond. Yet voting power remains unequal.

Below is proof of unequal voting power on the RMA Board. I wonder how many other times Chesterfield and Henrico have been out voted on RMA issues? In order to change the voting power to an equal balance must be brought before the VA. General Assembly.

BY MEREDITH FISCHER AND TIM PEARRELL
TIMES-DISPATCH STAFF WRITERS Feb 18, 2004

In part;

Berry said he will send a letter to representatives of the three jurisdictions, telling them that the deal has been put on hold. Richard White, Chesterfield's representative on the RMA, tried yesterday to release the localities from their \$18.5 million moral obligation, but his motion failed on a 5-3 vote.

"The deal has changed. They should be . . . released," White said. "I think our credibility is in question. I think we are allowing the tail to wag the dog. This is nothing about what we went to three jurisdictions to ask for."

- 7) The Richmond Braves 10 year lease ends after their current season and has signed a 3- year extension lease agreement yesterday with the RMA. However, the contract allows either party an "out clause" after each year. Now why would the RMA want an out clause in a contract with someone who uses a baseball stadium? If the Richmond Braves do not use the Diamond, who will? This out clause allows the Richmond Braves an "out" just in case one of three things could occur; 1) a better offer is made from another city or 2) using it as leverage if a new stadium is built to secure more income or 3) the Richmond Braves fold or merge with another Atlanta Braves minor league team and leave Richmond. I am sure, with the new leadership of the Atlanta Braves, cost-cutting measures are being looked into and the Richmond Braves are on the watch list.

I just listed three possibilities, which sums up to three strikes and we're out of the ballpark business.

The Richmond Braves are committed in staying in Richmond, according to Mr. Baldwin, General Manager of the Richmond Braves. If the localities are being asked for \$18.5 million in renovations and will require a 20-year bond, then the Richmond Braves should be required to do the same and sign a 15 to 20-year lease agreement. However, the

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current agreement will not pay for the bond. Something is not right and someone is not telling the whole story.

8) Isn't it amazing, RBI conveniently designed their website not to accept emails? I wonder why?

I am sure all of you are wondering why I even bothered to write this letter. My answer is I live in Chesterfield County and do not want to see taxpayer monies wasted on projects regardless of what localities are involved.

Recent taxpayer expense projects such as the Chesterfield Bus Link, which failed due to the poor promotion, low fares and ridership and scheduling, and soon to be on the failed list on June 3rd is the Chesterfield Express Bus Service due to lack of funding and low ridership.

Other well known expensive failures of the past are; the 6th Street Market Place, the renovation of 600B-700B E. Grace Street which forced many business out of business due to the lack of parking, etc., Main Street Station funds to support only approximately 30 riders per day, the soon to be performing arts center which only a few in the area will attend, the \$10 million dollars in a lawsuit award to Hilton Hotels in the 70's because the City chose Marriott Hotels near the Convention Center and now a proposed Hilton Hotel at the old Miller and Rhodes building is in the works.

The list of failures and common denominator is the City of Richmond and they will add to this list of failures if a new baseball stadium is built downtown.

A new baseball stadium might not increase attendance according to an interesting article I have read, which is below along with the website address.

Seven Fans per Night: The \$60 Million Pyramid Invades the Old Dominion

by Basil Tsimpris

In part;

One hundred miles to the east (of Richmond) stands a minor league stadium built in the 1990s, Norfolk's **Harbor Park**. It's on the waterfront; it's pretty; it's fan-friendly. And it really burns out the old turnstiles, right?

Well, not exactly. The following is a portion of the 2000 per-game attendance rankings for all 30 Triple-A teams, not counting Mexican League teams (courtesy, minorleaguebaseball.com):

Rank	Team	Avg. Attendance
10	Norfolk Tides	6,953
11	Richmond Braves	6,946

Seven fans per game. That was the benefit that **Harbor Park**, just seven years after it opened, derived for the good city of Norfolk—a larger market than Richmond and, in fact, the largest market in America without a single major-league sports franchise. Seven fans per game.

Source from website below.

http://www.baseballprimer.com/articles/basil_tsimpris_2001-05-14_0.shtml.

As you can see, Harbor Park only benefited by seven people from having a new stadium built. I believe the Diamond will lose fans if it is located downtown.

If there are answers to my questions and concerns that I do not know about, then I have proven RBI is keeping the public in the dark on their proposal.

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5/11/2004

If anyone has any questions, you may call me anytime.

Thank you for your time and consideration into this touchy matter.

Joe Cacciotti
2153 Old Indian Road
Richmond, VA. 23235-3647
804-272-8787 Home
804-301-6111 Cell
800-490-1988 Pager
804-272-7115 Fax
Email: FilmVA@aol.com

000212



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 5

Meeting Date: May 26, 2004

Item Number: 10.A.

Subject: Developer Water and Sewer Contracts

County Administrator's Comments:

County Administrator: _____

A handwritten signature in black ink, appearing to be "JBR", written over a horizontal line.

Board Action Requested: The Board of Supervisors has authorized the County Administrator to execute water and/or sewer contracts between County and Developer where there are no County funds involved.

The report is submitted to Board members as information.

Summary of Information:

The following water and sewer contracts were executed by the County Administrator:

1. Contract Number:	01-0363	
Project Name:	Ray's Restaurant - Chester Village Drive	
Developer:	James S. Ray	
Contractor:	Perkinson Construction Company	
Contract Amount:	Water Improvements -	\$6,785.60
District:	Bermuda	

Preparer: Craig S. Bryant

Title: Director of Utilities

Attachments:

☐

Yes

☒

No

#000213

2. Contract Number: 02-0264
Project Name: Bon Air Crest Subdivision

Developer: Bon Air Crest, LLC

Contractor: Lyttle Utilities, Inc.

Contract Amount: Water Improvements - \$35,156.00
Wastewater Improvements - \$56,759.00

District: Midlothian
3. Contract Number: 02-0369
Project Name: Genito Estates, Section F

Developer: Providence Investments, LLC

Contractor: Excalibur Construction Corporation

Contract Amount: Water Improvements - \$19,620.00
Wastewater Improvements - \$47,226.00

District: Clover Hill
4. Contract Number: 02-0372
Project Name: Salisbury West Office Park Phase I
201 Wyderose Drive

Developer: Salisbury West I, LLC

Contractor: Castle Equipment Corporation

Contract Amount: Water Improvements - \$15,275.00
Wastewater Improvements - \$4,445.00

District: Midlothian
5. Contract Number: 02-0450
Project Name: Cameron Bay, Section B

Developer: Cameron Bay LC

Contractor: Excalibur Construction Corporation

Contract Amount: Water Improvements - \$94,550.00
Wastewater Improvements - \$157,772.00

District: Matoaca

6. Contract Number: 02-0480
Project Name: Family Worship Center and
Alpha Y Omega Church of God
- Developer: Alpha Y Omega Church of God
- Contractor: Gleghorn Excavating, Incorporated
- Contract Amount: Water Improvements - \$44,500.00
Wastewater Improvements - \$36,000.00
- District: Dale
7. Contract Number: 03-0001
Project Name: Woodlake Commons Shopping Center
- Developer: Woodlake Commons Shopping Center, LLC
- Contractor: Richard L. Crowder Construction Company
- Contract Amount: Water Improvements - \$123,500.00
Wastewater Improvements - \$108,797.56
- District: Matoaca
8. Contract Number: 03-0024
Project Name: Smoketree, Section O
- Developer: Cross Creek Development Corporation
- Contractor: Excalibur Construction Corporation
- Contract Amount: Water Improvements - \$10,400.00
Wastewater Improvements - \$24,642.00
- District: Clover Hill
9. Contract Number: 03-0053
Project Name: Millcrest @ Brandermill
(formerly Brandermill North)
- Developer: Building Resource Development Company, LLC
- Contractor: R.M.C. Contractors, Inc.
- Contract Amount: Water Improvements - \$54,115.00
Wastewater Improvements - \$127,312.00
- District: Clover Hill

10. Contract Number: 03-0123
Project Name: Riverdowns - Lenox Forest, Section 3

Developer: Riverdowns, LLC

Contractor: Excalibur Construction Corporation

Contract Amount: Water Improvements - \$76,300.00
Wastewater Improvements - \$59,280.00

District: Midlothian
11. Contract Number: 03-0151
Project Name: Centralia Animal Hospital - Chester Village Drive

Developer: Centralia Leasing, LLC

Contractor: Perkinson Construction Company

Contract Amount: Water Improvements - \$3,739.20
Wastewater Improvements - \$1,700.00

District: Bermuda
12. Contract Number: 03-0355
Project Name: The Grove - Kingham, Section 5

Developer: The Grove, LP

Contractor: Piedmont Construction Company, Incorporated

Contract Amount: Water Improvements - \$29,500.00
Wastewater Improvements - \$42,200.00

District: Midlothian
13. Contract Number: 04-0033
Project Name: Carmax @ Midlothian & Murray Olds Court

Developer: Carmax Auto Superstores, Incorporated

Contractor: Richard L. Crowder Construction Company

Contract Amount: Water Improvements - \$91,030.00
Wastewater Improvements - \$37,960.00

District: Midlothian

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14. Contract Number: 04-0072
Project Name: International Drive (11301) Fire Line Tonda
Developer: Philia Designs LLC
Contractor: Bookman Construction Company
Contract Amount: Water Improvements - \$3,880.00
District: Clover Hill



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 10.B.

Subject:

Status of General Fund Balance, Reserve for Future Capital Projects,
District Improvement Fund, and Lease Purchases

County Administrator's Comments:

County Administrator: _____ 

Board Action Requested:

Summary of Information:

Preparer: _____ Lane B. Ramsey

Title: _____ County Administrator

Attachments:



Yes



No

#000218

CHESTERFIELD COUNTY
GENERAL FUND BALANCE
May 26, 2004

BOARD MEETING DATE	DESCRIPTION	AMOUNT	BALANCE
07/01/03	FY2004 Budgeted Beginning Fund Balance		\$42,264,186
11/25/03	Designate excess revenue (County) for non-recurring items in FY2005	(102,908)	\$42,161,278
11/25/03	Designate excess expenditures (County) for non-recurring items in FY2005	(3,133,048)	\$39,028,230
11/25/03	Designate excess expenditures (Schools) for non-recurring items in FY2005	(456,699)	\$38,678,308
11/25/03	Designate excess expenditures (Schools) for non-recurring items in FY2004	(349,922)	\$38,221,609
11/25/03	FY03 Results of Operations - Police for use in FY2004	(100,000)	\$38,121,609
11/25/03	FY03 Results of Operations - Fire for use in FY2004	(100,000)	\$38,021,609
11/25/03	FY2004	(100,000)	\$37,921,609
11/25/03	FY03 Results of Operations - MH/MR/SA for use in FY2004	(43,000)	\$37,878,609
11/25/03	FY03 Results of Operations - Projected CSA Shortfall for use in FY2004	(156,000)	\$37,722,609

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CHESTERFIELD COUNTY
RESERVE FOR FUTURE CAPITAL PROJECTS
TRADITIONALLY FUNDED BY DEBT
May 26, 2004

Board Meeting Date	Description	Amount	Balance
FOR FISCAL YEAR 2003 BEGINNING JULY 1, 2002			
4/10/2002	FY03 Budgeted Addition	8,600,000	10,111,312
4/10/2002	FY03 Capital Projects	(7,277,800)	2,833,512
8/28/2002	Purchase land for athletic facilities at Spring Run Elementary School, closing costs, and environmental assessment	(140,000)	2,693,512
FOR FISCAL YEAR 2004 BEGINNING JULY 1, 2003			
4/9/2003	FY04 Budgeted Addition	9,354,000	12,047,512
4/9/2003	FY04 Capital Projects	(8,559,300)	3,488,212
7/23/2003	National search for a developer to revitalize the Cloverleaf Mall area	(44,000)	3,444,212
10/22/2003	Debris pick-up program due to Hurricane Isabelle	(1,000,000)	2,444,212
4/14/2004	To General Services for building unexpected repairs and maintenance items incurred during FY04	(125,000)	2,319,212
4/14/2004	Trf to Sheriff for start-up expenses and capital for new replacement jail project	(260,000)	2,059,212
4/14/2004	Designate funding for police vehicles associated with the new COPS grant. Funds to be transferred to Police in FY2006	(500,000)	1,559,212

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DISTRICT IMPROVEMENT FUNDS

May 26, 2004

<u>District</u>	<u>Prior Years Carry Over⁽¹⁾</u>	<u>FY2004 Appropriation</u>	<u>Funds Used to Date</u>	<u>Items on 5/26 Agenda</u>	<u>Balance Pending Board Approval</u>
Bermuda	57,809	\$58,500 ⁽²⁾ ⁽³⁾	\$104,262	\$100	\$11,947
Clover Hill	63,962	48,500	68,699	100	43,663
Dale	76,268	48,500	45,699	0	79,069
Matoaca	53,604	48,500	40,932	0	61,171
Midlothian	67,198	38,500 ⁽³⁾	71,335	0	34,364
County Wide	-	13,500	0	0	13,500

⁽¹⁾ Includes cancelled projects or reduced costs projects

⁽²⁾ Includes an additional \$20,000 appropriation (\$5,000 from each of the other four districts) to replenish funds.

⁽³⁾ As part of the FY04 budget adoption, \$10,000 was appropriated to the Planning Department for specific land use plans from the Bermuda and Midlothian District Funds.

000221

Prepared by
Accounting Department
April 30, 2004

SCHEDULE OF CAPITALIZED LEASE PURCHASES

APPROVED AND EXECUTED

<u>Date Began</u>	<u>Description</u>	<u>Original Amount</u>	<u>Date Ends</u>	<u>Outstanding Balance 04/30/04</u>
04/99	Public Facility Lease – Juvenile Courts Project	\$16,100,000	11/19	\$12,880,000
06/99	School Copier Lease #1 – Manchester High School	43,587	05/04	1,750
1/01	Certificates of Participation - Building Construction, Expansion and Renovation; Acquisition/Installation of Systems	13,725,000	11/21	11,885,000
03/01	Telephone System Upgrade	1,222,411	03/05	167,744
04/01	School Copier Lease #2 – Manchester High School	20,268	03/06	8,919
11/00	School Copier Lease #3 – Chester Middle School	20,268	09/05	6,746
09/01	School Server Lease	278,372	07/05	113,886
03/03	Certificates of Participation – Building Construction, Expansion and Renovation	6,100,000	11/23	6,100,000
03/04	Certificates of Participation – Building Construction, Expansion and Renovation; Acquisition/Installation of Systems	<u>21,970,000</u>	11/24	<u>21,970,000</u>
	TOTAL APPROVED AND EXECUTED	<u>\$59,479,906</u>		<u>\$53,134,045</u>

PENDING EXECUTION

<u>Description</u>	<u>Approved Amount</u>
None	

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**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 10.C.

Subject:

Roads Accepted into the State Secondary System

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

Summary of Information:

Preparer: _____ Lisa H. Elko

Title: _____ Clerk to the Board

Attachments:



Yes



No

#

000223

Report of Changes to the Secondary System of State Highways

07-May-04
4

County of Chesterfield

Street Names grouped by Project/Subdivision			Route	Street Termini	Length Miles	Date BOS Resolution	Effective
System Change: Addition							
Beckenham, Section E							
Appletree Court		05695	From: Appletree Dr., (Rt. 5693) To: Cul-de-sac		0.04	3/25/2004	4/16/2004
Appletree Drive		05693	From: Appletree Ct., (Rt. 5695) To: Cul-de-sac		0.04	3/25/2004	4/16/2004
Appletree Drive		05693	From: Benmore Rd., (Rt. 1240) To: Appletree Ct., (Rt. 5695)		0.06	3/25/2004	4/16/2004
Benmore Court		05694	From: Benmore Rd., (Rt. 1240) To: Cul-de-sac		0.05	3/25/2004	4/16/2004
Benmore Road		01240	From: Appletree Dr., (Rt. 5693) & Benmore Ct., (Rt. 5694) To: Cul-de-sac		0.09	3/25/2004	4/16/2004
Benmore Road		01240	From: .06 Mi. E Of Kylvoe Ln., (Rt. 1241) To: Appletree Dr., (Rt. 5693) & Benmore Ct., (Rt. 5694)		0.03	3/25/2004	4/16/2004
Bon Air Ridge							
Pulliam Street		01745	From: Existing Pulliam St 0.04 Mi. N Of W. Bon View Dr., (Rt. 1712) To: Cul-de-sac		0.07	3/24/2004	4/16/2004
Rockcrest Court		05688	From: Rockcrest Rd., (Rt. 1709) To: Cul-de-sac		0.05	3/24/2004	4/16/2004
Hampton Park, Section 16							
Hampton Valley Court		05690	From: Hampton Valley Dr., (Rt. 5689) To: Cul-de-sac		0.06	3/24/2004	4/16/2004
Hampton Valley Drive		05689	From: Hampton Valley Pl., (Rt. 5691) To: 0.01 Mi. S Of Hampton Valley Pl., (Rt. 5691)		0.01	3/24/2004	4/16/2004
Hampton Valley Drive		05689	From: Hampton Glen Ln., (Rt. 5245) To: Hampton Valley Ct., (Rt. 5690)		0.07	3/24/2004	4/16/2004
Hampton Valley Drive		05689	From: Hampton Valley Ct., (Rt. 5690) To: Hampton Valley Pl., (Rt. 5691)		0.03	3/24/2004	4/16/2004
Hampton Valley Place		05691	From: Hampton Valley Dr., (Rt. 5689) To: Cul-de-sac		0.08	3/24/2004	4/16/2004
Hampton Park, Section 17							

This document summarizes implemented changes in the secondary system of state highways that will be reported to the Commonwealth Transportation Board on May 20, 2004

000224

Report of Changes to the Secondary System of State Highways

07-May-04
5

County of Chesterfield

Street Names grouped by Project/Subdivision	Route	Street Termini	Length Miles	Date BOS Resolution	Effective
System Change: Addition					
Hampton Park, Section 17					
Hampton Valley Drive	05689	From: Hampton Valley Tr., (Rt. 5692) To: 0.01 Mi S Of Hampton Valley Tr., (Rt. 5692)	0.01	3/24/2004	4/16/2004
Hampton Valley Drive	05689	From: Hampton Valley Dr., .01 Mi. S Of Hampton Valley Pl., (Rt. 5691) To: Hampton Valley Tr., (Rt. 5692)	0.03	3/24/2004	4/16/2004
Hampton Valley Terrace	05692	From: Hampton Valley Dr., (Rt. 5689) To: Cul-de-sac	0.18	3/24/2004	4/16/2004
Second Branch, Section 3					
Balta Road	04609	From: Intersection Of Balta Tr., (Rt. 5625) & Balta Tn., (Rt. 5626) To: .09 Mi W Of Balta Tr., (Rt. 5625) & Balta Tn., (Rt. 5626)	0.09	3/24/2004	4/16/2004
Balta Road	04609	From: Second Branch Rd., (Rt. 653) To: Intersection Of Balta Tr., (Rt. 5625) & Balta Tn., (Rt. 5626)	0.17	3/24/2004	4/16/2004
Balta Terrace	05625	From: Balta Rd., (Rt. 4609) To: Cul-de-sac	0.12	3/24/2004	4/16/2004
Balta Turn	05626	From: Balta Rd., (Rt. 4609) To: Cul-de-sac	0.05	3/24/2004	4/16/2004
Total Net Change in Mileage			1.33		

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This document summarizes implemented changes in the secondary system of state highways that will be reported to the Commonwealth Transportation Board on May 20, 2004



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 14.A.

Subject:

Resolution Recognizing Mr. Bob Brick for His Extraordinary Litter Collection Efforts in Chesterfield County

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

Mr. King requested that the following resolution be adopted.

Summary of Information:

This resolution recognizes Bob Brick for his dedication, civic service and untiring efforts to maintain and improve the appearance of Chesterfield County.

Preparer: Donald J. Kappel

Title: Director, Public Affairs

Attachments:



Yes



No

#000226

RECOGNIZING MR. BOB BRICK FOR HIS EXTRAORDINARY
LITTER COLLECTION EFFORTS IN CHESTERFIELD COUNTY

WHEREAS, Chesterfield County is well known regionally and nationally as a FIRST CHOICE community that offers an extraordinary quality of life; and

WHEREAS, Chesterfield County also has, as one of its eight strategic goals, that of being "responsible protectors of the environment"; and

WHEREAS, as part of its commitment to caring for the environment, Chesterfield County has active recycling and litter abatement programs in effect; and

WHEREAS, the Chesterfield County Board of Supervisors recently approved the expenditure of \$100,000 to assist in the cleanup of litter in the county; and

WHEREAS, the Virginia Department of Transportation (VDOT), which is responsible for litter pick up along the county's roadways, has various litter control programs in place"; and

WHEREAS, along with all these efforts, the efforts by individual Chesterfield County residents to prevent and pick up litter are critical to the success of any litter abatement program; and

WHEREAS, Mr. Bob Brick, a Chesterfield County resident of the Bermuda District, has been regularly picking up aluminum cans and other litter along the county's roadways for nearly 17 years on a voluntary basis; and

WHEREAS, Mr. Brick's litter collection efforts have been the subject of local media attention; and

WHEREAS, Mr. Brick estimates that he has collected about 15 tons of aluminum over the years, removing cans from county roadways and other areas; and

WHEREAS, Mr. Brick is an active member of VDOT's "Adopt a Highway" litter abatement program; and

WHEREAS, it is appropriate to recognize Mr. Brick's outstanding and continuous efforts on behalf of Chesterfield County residents.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield Board of Supervisors, this 26th day of May 2004, publicly recognizes Mr. Bob Brick for his dedication, civic service and untiring efforts to maintain and improve the appearance of Chesterfield County, thanks him for his outstanding example of service to others, and expresses its appreciation for his work on behalf of the environment.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 14.B.

Subject:

Resolution Recognizing the 20th Anniversary of Crime Solvers

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

Mr. King requested that the following resolution be adopted.

Summary of Information:

This resolution recognizes The 20th Anniversary of Crime Solvers. This program has demonstrated tremendous success in the fight against crime and its efforts to improve quality of life and safety for everyone in Chesterfield County and the City of Colonial Heights.

Preparer: Donald J. Kappel

Title: Director, Public Affairs

Attachments:



Yes



No

000228

RECOGNIZING THE 20TH ANNIVERSARY OF CRIME SOLVERS

WHEREAS, Chesterfield County is committed to being the safest and most secure community compared to similar jurisdictions; and

WHEREAS, the strong partnership that includes our Police Department, business owners and operators, the media and citizens collectively contributes to the safety of our neighborhoods and the quality of life in Chesterfield County; and

WHEREAS, since 1984, the Chesterfield County-Colonial Heights Crime Solvers program has been a vital component of the united fight against crime; and

WHEREAS, since its inception in March of 1984, Crime Solvers has received more than 18,000 tips to its anonymous hotline; and

WHEREAS, this information has helped police to solve more than 4,300 crimes; and

WHEREAS, further, more than \$1,250,000 worth of illegal drugs and \$610,000 in stolen property have been recovered; and

WHEREAS, more than \$286,000 in reward money has been distributed; and

WHEREAS, Chesterfield County-Colonial Heights Crime Solvers is a valued and important part of the fight against crime in the region; and

WHEREAS, this Board of Supervisors, on behalf of the citizens of Chesterfield County, wishes to thank all those corporate sponsors and individuals who have supported Crime Solvers monetarily with their donations and provided support in other ways.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 26th day of May 2004, hereby extends its appreciation, congratulations and best wishes to Chesterfield County-Colonial Heights Crime Solvers on the occasion of its 20th anniversary; thanks all those who have made this program such a tremendous success in the fight against crime; and wishes Crime Solvers continued success in its efforts to improve quality of life and safety for everyone in Chesterfield County and the City of Colonial Heights.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Meeting Date: May 26, 2004

Item Number: 14.C.

Subject:

Resolution Recognizing Miss Jennifer Lynn Daoulas, Troop 794, Sponsored by Bethia United Methodist Church, Upon Attaining the Gold Award

County Administrator's Comments:

County Administrator:

A handwritten signature, likely of the County Administrator, is written over a horizontal line.

Board Action Requested: Adoption of attached resolution.

Summary of Information:

The Board is requested to adopt the attached resolution for Miss Jennifer Lynn Daoulas, Troop 794, Sponsored by Bethia United Methodist Church, upon attaining the Gold Award. She will be present at the meeting, accompanied by members of her family, to accept the resolution.

Preparer: Lisa H. Elko

Title: Clerk to the Board

Attachments:



Yes



No

000230

RECOGNIZING MISS JENNIFER LYNN DAOULAS
UPON ATTAINING THE GOLD AWARD

WHEREAS, the Girl Scouts of the United States of America is an organization serving over 2.6 million girls and was founded to promote citizenship training and personal development; and

WHEREAS, after earning four interest project patches, the Career Exploration Pin, the Senior Girl Scout Leadership Award, the Senior Girl Scout Challenge, and designing and implementing a Girl Scout Gold Award project; and

WHEREAS, the Gold Award is the highest achievement award in Girl Scouting and symbolizes outstanding accomplishments in the areas of leadership, community service, career planning, and personal development; and

WHEREAS, the Girl Scout Award can only be earned by girls aged 14-17 or in grades 9-12 and is received by less than six percent of those individuals entering the Girl Scouting movement; and

WHEREAS, Miss Jennifer Lynn Daoulas, Troop 794, sponsored by Bethia United Methodist Church, has accomplished these high standards and has been honored with the Girl Scouts of America Gold Award by the Commonwealth Girl Scout Council of Virginia; and

WHEREAS, growing through her experiences in Girl Scouting, learning the lessons of responsible citizenship, and priding herself on the great accomplishments of her country, Jennifer is indeed a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 26th day of May 2004, publicly recognizes Miss Jennifer Lynn Daoulas, extends congratulations on her attainment of the Gold Award and acknowledges the good fortune of the county to have such an outstanding young woman as one of its citizens.



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 14. D.

Subject:

Resolution Recognizing Touch of Swing Show Choir

County Administrator's Comments:

County Administrator: _____

A handwritten signature, likely of the County Administrator, is written over the line.

Board Action Requested:

Mrs. Humphrey requested that the following resolution be adopted.

Summary of Information:

This resolution recognizes Touch of Swing for its outstanding record of achievement and salutes the excellent performance of all members of the choir.

Preparer: Donald J. Kappel

Title: Director, Public Affairs

Attachments:



Yes



No

000232

RECOGNIZING "TOUCH OF SWING" SHOW CHOIR
FOR ITS EXCELLENT REPRESENTATION OF CHESTERFIELD COUNTY

WHEREAS, "Touch of Swing" is the all-girl show choir at Manchester High School; and

WHEREAS, this group of 41 sophomore, junior and senior girls was the first girls' group of its kind in the Richmond, Virginia area; and

WHEREAS, "Touch of Swing" has earned the title of Grand Champion at the Showstoppers National Show Choir Invitational in Orlando, Florida; and

WHEREAS, this year, the group took first place in the Unisex Division of the Northcoast Show Choir Invitational in Twinsburg, Ohio; and

WHEREAS, "Touch of Swing" also has been named Grand Champion of the Unisex Division at Fame's Show Choir America in New York; and

WHEREAS, while in New York the group also received honors for Best Vocals, Best Choreography, Best Repertoire and Best Rhythm Section; and

WHEREAS, "Touch of Swing" is in its 16th season, with band direction by Louis Millhouse, choreography by Andy Haines and under the direction of Robyn A. Kim.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 26th day of May 2004, hereby extends its congratulations to "Touch of Swing" for its outstanding record of achievement, which reflects well on Chesterfield County and all its citizens; recognizes the talent, enthusiasm and excellence of all the members of "Touch of Swing," as well as of its adult leaders; and wishes the group continued success in all its performances.



**CHESTERFIELD COUNTY
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Meeting Date: May 26, 2004

Item Number: 14E.

Subject:

Resolution Recognizing The Capital Swing Show Choir

County Administrator's Comments:

County Administrator: _____

A handwritten signature in black ink is written over the line for the County Administrator.

Board Action Requested:

Mrs. Humphrey requested that the following resolution be adopted.

Summary of Information:

This resolution recognizes Capital Swing for its outstanding record of achievement and salutes the excellent performance of all members of the choir.

Preparer: Donald J. Kappel

Title: Director, Public Affairs

Attachments:



Yes



No

000234

RECOGNIZING "CAPITAL SWING" SHOW CHOIR
FOR ITS EXCELLENT REPRESENTATION OF CHESTERFIELD COUNTY

WHEREAS, "Capital Swing" is the mixed show choir at Manchester High School; and

WHEREAS, this group was the first group of its kind in the Richmond, Virginia area; and

WHEREAS, "Capital Swing" has earned the title of Grand Champion and has taken first-place honors at the Hampton Roads Show Choir Invitational; and

WHEREAS, the group has had the same distinction at the Capital VIP's festival in Charleston, West Virginia; and

WHEREAS, "Capital Swing" also earned first-place honors at the Voices in the Groves Invitational in Ohio; and

WHEREAS, while in Twinsburg, Ohio at the Northcoast Show Choir Invitational, the group was named Grand Champion and was presented with awards for Best Vocals and Best Choreography; and

WHEREAS, "Capital Swing" also was recognized at Grand Champion in the Martinsburg Show Choir Festival in West Virginia; and

WHEREAS, the group was First Runner-up at Fame's Show Choir America; and

WHEREAS, while in New York, "Capital Swing" was recognized for Best Male Sound, Best Choreography, Best Repertoire and Best Diction; and

WHEREAS, "Capital Swing" is in its 23rd season, with band direction by Louis Millhouse, choreography by Andy Haines and under the direction of Susan Wood Kish.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 26th day of May 2004, hereby extends its congratulations to "Capital Swing" for its outstanding record of achievement, which reflects well on Chesterfield County and all its citizens; recognizes the talent, enthusiasm and excellence of all the members of "Capital Swing," as well as of its adult leaders; and wishes the group continued success in all its performances.



**CHESTERFIELD COUNTY
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Meeting Date: May 26, 2004

Item Number: 14.F.

Subject:

Recognizing Stephen Nicholas Richey, Troop 876, Sponsored by Mount Pisgah United Methodist Church, Michael Dewey Vance, Troop 869, Sponsored by Salisbury Presbyterian Church, and Dennis Gregory Gibson, Jr., Troop 890, Sponsored by The Brandermill Church, Upon Attaining Rank of Eagle Scout

County Administrator's Comments:

County Administrator: _____

Board Action Requested:

Adoption of attached resolutions.

Summary of Information:

Staff has received requests for the Board to adopt resolutions recognizing Stephen Nicholas Richey, Troop 876, Michael Dewey Vance, Troop 869, and Dennis Gregory Gibson, Jr., Troop 890, upon attaining the rank of Eagle Scout. All will be present at the meeting, accompanied by members of their family, to accept the resolutions.

Midlothian District

Stephen Nicholas Richey
Parents: Tim and Ruth

Michael Dewey Vance
Parents: Christopher and Elizabeth

Dennis Gregory Gibson, Jr.
Parents: Dennis and Lora

Preparer: Lisa H. Elko

Title: Clerk to the Board

Attachments:



Yes



No

#

000236

RECOGNIZING MR. STEPHEN NICHOLAS RICHEY UPON ATTAINING
THE RANK OF EAGLE SCOUT

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Stephen Nicholas Richey, Troop 876, sponsored by Mount Pisgah United Methodist Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, Nick has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 26th day of May 2004, recognizes Mr. Stephen Nicholas Richey, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

RECOGNIZING MR. MICHAEL DEWEY VANCE UPON ATTAINING
THE RANK OF EAGLE SCOUT

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Michael Dewey Vance, Troop 869, sponsored by Salisbury Presbyterian Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, Michael has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 26th day of May 2004, recognizes Mr. Michael Dewey Vance, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

RECOGNIZING MR. DENNIS GREGORY GIBSON, JR. UPON ATTAINING
THE RANK OF EAGLE SCOUT

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Dennis Gregory Gibson, Jr., Troop 890, sponsored by The Brandermill Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, Greg has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 26th day of May 2004, recognizes Mr. Dennis Gregory Gibson, Jr., extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.



**CHESTERFIELD COUNTY
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Meeting Date: May 26, 2004

Item Number: 16.A.

Subject:

Public Hearing to Consider Adoption of Amendments to the Chesapeake Bay Preservation Ordinance

County Administrator's Comments:

Recommend Approval in order to keep county in compliance with state regulations. *SLR*

County Administrator:

Board Action Requested:

Adoption of an ordinance amending the Chesapeake Bay Preservation ordinance relating to site-specific delineations of perennial streams.

Summary of Information:

Since 1989 Chesterfield County has been obligated by state mandate to require that all land development must comply with location restrictions and building standards when constructing structures near watercourses. Those building restrictions are intended to reduce non-point source surface water pollution that eventually enters the Chesapeake Bay. In 2002, the State further mandated that by December 31, 2003, all localities must verify on a site-specific basis whether watercourses or streams are either intermittent or perennial in flow. Those portions of a stream that are then found to have perennial flow must be protected by development setbacks and use restrictions within Resource Protection Areas (RPAs) which surround those perennial streams. The newly mandated requirement to delineate perennial streams can,

(continued)

Preparer: Steven L. Micas

Title: County Attorney
0800(23):65290.1(63078.2)

Attachments:



Yes



No

#000240

**CHESTERFIELD COUNTY
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on occasion, reduce "lot yield", increase development costs, or require modification in development plans. (See attached map.)

In January and February, 2004, the Board of Supervisors expressed public concern about various aspects of the proposed ordinance drafted to comply with this State mandate and deferred further consideration of any amendments until May 26, 2004. Since those Board meetings the following changes shown in red ink have been made to the ordinance:

1. Rather than being required to use the County's determination of perennality, developers can choose to hire qualified professionals to make the site-specific perennality determinations, which will be approved by staff.
2. Extends the process to allow exceptions to perennality standards if there exists a possibility of losing buildable lots.
3. Provides that any damaged or destroyed structures can be rebuilt in RPA's.
4. Eliminates all provisions from the ordinance not mandated by the state such as (1) additional water quality standards for golf courses and (2) exclusion of all-terrain vehicles from RPA's.

Questions were raised about the specific impact of the new Chesapeake Bay requirements on certain areas of the County and staff believes that the new perennality standards will have little impact on the Meadowville Tract and the Cosby Road High School tract. The regulations will likely impact anticipated development within the Tomahawk Creek/Route 288 area, depending upon how proposed development is designed. Subdivisions that have already been approved will be exempt (grandfathered) from complying with the new RPA requirements only when (i) the subdivision was recorded prior to March 1, 2002, or (ii) when the subdivision was recorded after March 1, 2002, but before the effective date of this ordinance, and the developer can show that he (a) diligently pursued the development of that subdivision from the time of recordation and (b) already invested substantial expenses in developing the property.

In response to a question raised at a Board meeting, RPA restrictions are applicable to agriculturally-zoned property that is used for residential and not agricultural purposes. Any structures constructed on the property must comply with the RPA requirement unless the property qualifies for an exception as discussed above.

By letter the State Chesapeake Bay Local Assistance Board has informed the County that we are the only locality in Virginia that has not complied with the new regulations and that if the Board does not adopt the ordinance in May the matter will be forwarded to the Attorney General for enforcement action against the County.

000241



RPA's Under Existing and Proposed Chesapeake Bay Ordinance

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING
AND RE-ENACTING SECTIONS 19-228, 19-229, 19-230, 19-231, 19-232,
19-233, 19-234, 19-235, 19-236, 19-241, 19-242 AND 19-301 RELATING TO
CHESAPEAKE BAY PRESERVATION AREAS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) *That Sections 19-228, 19-229, 19-230, 19-231, 19-232, 19-233, 19-234, 19-235, 19-236, 19-241, 19-242 and 19-301 of the Code of the County of Chesterfield, 1997, as amended, are amended and re-enacted to read as follows:*

DIVISION 4. CHESAPEAKE BAY PRESERVATION AREAS

Sec. 19-228. Resource protection area boundaries.

~~Resource protection areas consist of:~~

(a) At a minimum, resource protection areas shall consist of lands adjacent to water bodies with perennial flow that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may cause significant degradation to the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments, nutrients and potentially harmful or toxic substances in runoff entering the bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources.

(b) Resource protection areas shall consist of:

~~(a)~~ (1) Tidal wetlands.

~~(b)~~ (2) Nontidal wetlands connected by surface flow ~~and that are~~ contiguous to (i) tidal wetlands or (ii) water bodies with perennial flow ~~tributary streams.~~

~~(c)~~ (3) Tidal shores.

~~(d)~~ (4) A vegetated conservation area a minimum of 100 feet in width, located adjacent to and landward of the environmental features listed in subsections (1) ~~(a)~~ through (3) ~~(c)~~ above, and along both sides of any water body with perennial flow ~~tributary stream.~~ The full conservation area shall be designated as the landward component of the resource protection area.

(5) Such other lands determined by the department of environmental engineering to meet the provisions of subsection (a) of this section and to be necessary to protect the quality of state waters.

(c) Designation of the components listed in subdivision (5) of subsection (b) shall not be subject to modification unless based on a reliable, site specific information as provided for in 9 VAC 10-20-105.

Sec. 19-229. Resource management area boundaries.

~~Resource management areas consist of one or more of the following:~~

(a) Resource management areas shall include land types that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the resource protection area.

(b) A resource management area shall be provided contiguous to the entire inland boundary of the resource protection area. Resource management areas consist of one or more of the following:

~~(a)~~ (1) One-hundred-year floodplains.

~~(b)~~ (2) Highly erodible soils, including steep slopes.

~~(c)~~ (3) Highly permeable soils.

~~(d)~~ (4) Nontidal wetlands not included in resource protection areas.

~~(e)~~ (5) Land areas a minimum of 100 feet in width that are located adjacent to and landward of every resource protection area.

Sec. 19-230. Chesapeake Bay preservation areas maps.

Chesapeake Bay preservation areas include resource protection areas and resource management areas. Subject to any adjustments by the director of environmental engineering pursuant to section 19-231, the boundaries of these areas are ~~established on~~ included as a map layer in the County's Geographic Information System (GIS) which is available for viewing in the department of environmental engineering. This GIS map layer shall serve as the general determination of the extent of the resource protection area boundary as defined in 9 VAC 10-20-80. Chesapeake Bay preservation areas maps, which are adopted by reference and which shall be kept on file in the director of environmental engineering's office. For purposes of the Chesapeake Bay Preservation Act, Code of Virginia, § 10.1-2100 et seq., and the regulations promulgated by the Chesapeake Bay Local Assistance Board, VR173-02-01, the resource protection areas created by this division are declared to be "resource protection areas" and the resource management areas created by this division are declared to be "resource management areas."

Sec. 19-231. ~~Boundary adjustments.~~ Site-specific refinements of Chesapeake Bay Area boundaries and boundary adjustments.

(a) As part of, or prior to, the zoning application or plan review processes, or during the review of a water quality impact assessment pursuant to subsection 19-232(e), a reliable, site-specific evaluation shall be conducted or approved by the county office of water quality to determine whether water bodies on or adjacent to the proposed development site have perennial flow. The Resource Protection Area boundaries for the site shall then be adjusted, as necessary, based on this evaluation. Upon the completion of a county wide map depicting streams with

perennial flow, as identified utilizing a scientifically valid method approved by the Chesapeake Bay Local Assistance Board, the site-specific evaluations shall no longer be required.

~~(a)~~ (b) The director of environmental engineering may adjust the delineation of any resource protection area boundaries when an environmental site assessment prepared by a qualified expert indicates a need for change based on the environmental features listed in section ~~19-228(a)~~ 19-228(b)(1) through ~~(d)~~ (4). The environmental site assessment shall be drawn to scale and shall clearly delineate such environmental features. Wetlands delineations shall be performed in accordance with the procedures specified in the most recently approved edition(s) of the Federal Manual for Identifying and Delineating Jurisdictional Wetlands.

~~(b)~~ (c) The director of environmental engineering may adjust the delineation of any resource management area boundaries when an environmental site assessment prepared by a qualified expert indicates a need for such change based on the environmental features listed in section ~~19-229(a)~~ 19-229(b)(1) through ~~(e)~~ (5). The environmental site assessment shall be drawn to scale and shall clearly delineate such environmental features. Wetlands delineations shall be performed in accordance with the procedures specified in the most recently approved edition(s) of the Federal Manual for Identifying and Delineating Jurisdictional Wetlands.

~~(e)~~ (d) Any person aggrieved by the director of environmental engineering's decision concerning the boundaries of a resource protection area or a resource management area may appeal such decision in accordance with section 19-268(d).

~~(d)~~ (e) Boundary adjustments shall not be available to property that is undergoing redevelopment if, due to previous development of the property, the Chesapeake Bay preservation area features listed in section ~~19-228(a)~~ 19-228(b)(1) through ~~(d)~~ (5) or section ~~19-229(a)~~ 19-229(b)(1) through ~~(e)~~ (5) cannot be determined.

Sec. 19-232. Resource protection area regulations.

In addition to the general performance criteria set forth in section 19-233, the criteria in this section are applicable in resource protection areas.

(a) ~~*Allowable development.* Land development within a resource protection area shall only be permitted if it is water dependent or constitutes redevelopment.~~ Land development may be allowed in a resource protection area, subject to the approval of the department of environmental engineering, only if it (i) is water dependent; (ii) constitutes redevelopment; (iii) is a permitted encroachment established pursuant to subdivision (d) of this section; (iv) is a road or driveway crossing satisfying the conditions set forth in subdivision (a)(4) of this section; or (v) is a flood control or stormwater management facility satisfying the conditions set forth in subdivision (a)(5) of this section.

- (1) ~~A new or expanded water dependent facility may be permitted, provided that: A water quality impact assessment in accordance with section 19-232(e)(1) shall be required for any proposed land disturbance.~~
- (2) ~~Redevelopment shall conform to applicable stormwater management criteria and erosion and sediment control criteria set forth in section 19-232(b), section 19-233~~

~~and chapter 8.~~ A new or expanded water-dependent facility may be permitted, provided that:

- a. It does not conflict with the comprehensive plan;
- b. It complies with the performance criteria set forth in sections 19-232(b) and 19-233;
- c. Any nonwater-dependent component is located outside any resource protection area; and
- d. Access shall be provided with minimum disturbance necessary. If possible, a single point of access shall be provided.

(3) Redevelopment shall be permitted in the Resource Protection Area only if there is no increase in the amount of impervious cover and no further encroachment within the Resource Protection Area, and it shall conform to applicable erosion and sediment control and stormwater management criteria set forth in section 10-233, as well as all applicable stormwater management requirements of other state and federal agencies.

(4) Roads and driveways not exempt under section 19-235 (a) (1) may be constructed in or across Resource Protection Areas only if each of the following conditions are met:

- a. The department of environmental engineering makes a finding that there are no reasonable alternatives to aligning the road or driveway in or across the Resource Protection Area.
- b. The alignment and design of the road or driveway are optimized, consistent with other applicable requirements, to minimize the encroachment in the Resource Protection Area and adverse impacts on water quality.
- c. The design and construction of the road or driveway satisfies all applicable criteria of this chapter, including submission of a water quality impact assessment.
- d. The department of environmental engineering reviews the plan for the road or driveway proposed in or across the Resource Protection Area.

(5) Flood control and stormwater management facilities that drain or treat water from multiple development projects or from a significant portion of a watershed may be allowed in Resource Protection Areas, provided that (i) the department of environmental engineering has conclusively established that the location of the facility within the Resource Protection Area is the optimum location; (ii) the size of the facility is the minimum necessary to provide necessary flood control,

stormwater treatment, or both; (iii) the facility must be consistent with the Watershed Management Plan for the Swift Creek Reservoir or any other stormwater management program that has been approved by the Chesapeake Bay Local Assistance Board as a Phase I modification to the county's Chesapeake Bay Preservation Act program; (iv) all applicable permits for construction in state or federal waters must be obtained from the appropriate state and federal agencies, such as the U. S. Army Corps of Engineers, the Virginia Department of Environmental Quality, and the Virginia Marine Resources Commission; (v) approval must be received from the department of environmental engineering prior to construction; and (vi) routine maintenance is allowed to be performed on such facilities to assure that they continue to function as designed. It is not the intent to allow a best management practice that collects and treats runoff from only an individual lot or some portion of the lot to be located within a Resource Protection Area.

(b) *Conservation area requirements.* The 100-foot conservation area shall be the landward component of the Resource Protection Area as set forth in subsection 19-228 (b) (4). Notwithstanding permitted uses and encroachments, as set forth in 19-232 (c) and (d), the 100-foot conservation area shall not be reduced in width. To minimize the adverse effects of human activities on the other components of the Resource Protection Area, state waters, and aquatic life, a 100-foot wide conservation area of vegetation that is effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff shall be retained if present and established where it does not exist. The following criteria shall apply to the 100-foot conservation area.

- (1) ~~A vegetated conservation area that retards runoff, prevents erosion and filters nonpoint source pollution from runoff shall be retained if present and shall be established in areas where it does not exist. The conservation area shall be located adjacent to and landward of the environmental features listed in section 19-228(a) through (d) and along both sides of any tributary stream. The vegetated conservation area shall extend a minimum of 100 feet in width from such environmental features and tributary streams. The full conservation area shall be deemed to achieve a 75 percent reduction of sediments and a 40 percent reduction of nutrients. After considering a water quality impact assessment, the director of environmental engineering may approve a combination of a 50-foot or wider vegetative conservation area and appropriate best management practices located landward of the conservation area that collectively achieve water quality protection, pollutant removal and water resource conservation at least the equivalent of the full conservation area.~~ The 100-foot wide conservation area shall be deemed to achieve a 75% reduction of sediments and a 40% reduction of nutrients.
- (2) ~~The vegetated conservation area shall be maintained to meet the following additional performance standards: Where land uses such as agriculture or silviculture within the area of the conservation area cease and the lands are proposed to be converted to other uses, the full 100-foot wide conservation area shall be reestablished. In reestablishing the conservation area, management~~

measures shall be undertaken to provide woody vegetation that assures the conservation area functions set forth in this chapter.

(3) Existing vegetation in the conservation area shall not be cleared or disturbed except (i) as provided in section 19-232(c) and (d) and (ii) with the prior approval of the water quality administrator. Further, replacement of vegetation with a lawn shall not constitute compliance with the requirements of 19-232(b).

(4) All terrain vehicles shall be prohibited in Resource Protection Areas.

(c) Permitted modifications of the conservation area.

~~a.~~ (1) In order to maintain the conservation area's functional value, ~~indigenous~~ existing vegetation may ~~only~~ be removed, subject to the approval of the water quality administrator, only to provide for reasonable sight lines, access paths, pedestrian ways, general woodlot management and best management practices, including those that prevent upland erosion and concentrated flows of stormwater, as follows:

~~1. a.~~ Trees may be pruned or removed if necessary to provide for sight lines and vistas. If trees are removed, they shall be replaced with other vegetation that, in the judgment of the water quality administrator, is equally effective in retarding runoff, preventing erosion and filtering nonpoint source pollution from runoff.

~~2. b.~~ Any ~~pedestrian way~~ path shall be constructed and surfaced to effectively control erosion.

~~3. c.~~ Dead, diseased or dying trees or shrubbery and noxious weeds (such as Johnson grass, kudzu, and multiflora rose) may be removed and thinning of trees may be allowed, pursuant to sound horticultural practices at the discretion of the landowner, and silvicultural thinning may be conducted based upon the recommendation of a professional forester or arborist.

~~4. d.~~ For shoreline erosion control projects, trees and woody vegetation may be removed, necessary control techniques employed and appropriate vegetation established to protect or stabilize the shoreline in accordance with the best available technical advice and applicable permit conditions or requirements.

~~b. —~~ ~~When compliance with the conservation area requirements will result in the loss of a buildable area on a lot or parcel recorded prior to October 1, 1989, the director of planning or the planning commission may modify the conservation area's width at the time of subdivision, schematic, site plan or improvement sketch approval, in accordance with the director of environmental engineering's recommendation, based upon the following criteria:~~

- ~~1. Modifications to the conservation areas shall be the minimum necessary to achieve a reasonable building area for a principal structure and necessary utilities.~~
- ~~2. If possible, an area equal to the area encroaching into the conservation area shall be established elsewhere on the lot or parcel to maximize water quality protection.~~
- ~~3. In no case shall the reduced portion of the conservation area be less than 50 feet in width.~~

e. (2) On agricultural lands, the conservation area shall be managed to prevent concentrated flows of surface water from breaching the conservation area and appropriate measures may be taken to prevent noxious weeds (such as Johnson grass, kudzu, and multiflora rose) from invading the conservation area. ~~The a~~ Agricultural activities may encroach into the conservation area ~~may be reduced only~~ as follows:

- ~~1. a.~~ To a minimum width of 50 feet when the adjacent land is implementing a federal, state or locally funded agricultural best management practices program, provided that the combination of the reduced conservation area and the best management practices achieves water quality protection, pollutant removal and water resource conservation at least the equivalent of the full conservation area. Agricultural activities may encroach within the landward 50 feet of the 100-foot wide conservation area when at least one agricultural best management practice which, in the opinion of the local soil and water conservation district board, addresses the more predominant water quality issue on the adjacent land is being implemented on the adjacent land provided that the combination of the undisturbed conservation area and the best management practice achieves water quality protection, pollutant removal, and water resource conservation at least the equivalent of the 100-foot conservation area. If nutrient management is identified as the predominant water quality issue, a nutrient management plan, including soil tests, must be developed consistent with the Virginia Nutrient Training and Certification Regulations (4 VAC 5-15) administered by the Virginia Department of Conservation and Recreation.
- ~~2. b.~~ To a minimum width of 25 feet when a soil and water quality conservation plan, approved by the James River Soil and Water Conservation District, has been implemented on the adjacent land. Such plan shall be based on the Field Office Technical Guide of the U.S. Department of Agriculture Soil Conservation Service and accomplish water quality protection consistent with this division. Agricultural activities may encroach within the landward 75 feet of the 100-foot wide conservation area when agricultural best management practices which address erosion control, nutrient management, and pest chemical control, approved by the James

River soil and water conservation district, are being implemented on the adjacent land. The erosion control practices must prevent erosion from exceeding the soil loss tolerance levels, referred to as "T," as defined in the "National Soil Survey Handbook" of November 1996 in the "Field Office Technical Guide" of the U.S. Department of Agriculture Natural Resource Conservation Service. A nutrient management plan, including soil tests, must be developed, consistent with the Virginia Nutrient Management Training and Certification Regulations (4 VAC 5-15) administered by the Virginia Department of Conservation and Recreation. In conjunction with the remaining conservation area, this collection of best management practices shall be presumed to achieve water quality protection at least the equivalent of that provided by the 100-foot conservation area.

3. c. The conservation area is not required for drainage ditches associated with agricultural land if the adjacent agricultural land has in place at least one best management practices in accordance with a conservation plan approved by the James River Soil and Water Conservation District which, in the opinion of the James River soil and water conservation district, addresses the predominant water quality issues on the adjacent land.

(d) Permitted encroachments into the conservation area.

1. When the application of the conservation area would result in the loss of a buildable area on a lot or parcel recorded prior to October 1, 1989, encroachments into the conservation area may be allowed through an administrative process, in accordance with the following criteria:
 - a. Encroachments into the conservation area shall be the minimum necessary to achieve a buildable area for a principal structure and necessary utilities.
 - b. Where practicable, a vegetated area that will maximize water quality protection, mitigate the effects of the conservation area encroachment, and is equal to the area of encroachment into the conservation area shall be established elsewhere on the lot or parcel.
 - c. The encroachment may not extend into the seaward 50 feet of the conservation area.
 - d. A written request for an exception to this division's requirements shall be made to the director of environmental engineering. It shall identify the impact of the proposed exception on water quality, on public safety and on lands within the resource protection area through the completion of a water quality impact assessment that complies with section 19-232 (e).
2. When the application of the buffer area would result in the loss of a buildable area on a lot or parcel recorded between October 1, 1989 and March 1, 2002,

encroachments into the buffer area may be allowed through an administrative process in accordance with the following criteria:

- a. The lot or parcel was created as a result of a legal process conducted in conformity with the county's subdivision ordinance;
- b. Conditions or mitigation measures imposed through a previously approved exception shall be met;
- c. If the use of a best management practice (BMP) was previously required, the BMP shall be evaluated to determine if it continues to function effectively and, if necessary, the BMP shall be reestablished or repaired and maintained as required;
- d. The requirements of section 19-232(d)(1) shall be met.

~~(e)~~ (c) Water quality impact assessments and resource protection area restoration plans.

- (1) A water quality impact assessment shall be submitted to, and approved by, the ~~director of environmental engineering~~ water quality administrator for any proposed development within a resource protection area, including any conservation area modification or ~~reduction encroachment~~ authorized as provided by section 19-232(b) 19-232(d), and may be required by the director of environmental engineering for any other development in Chesapeake Bay preservation areas based on the site's unique characteristics or the intensity of the proposed use or development. The purpose of the water quality impact assessment is to identify and, where applicable, quantify the impacts of proposed development on water quality and lands in the Resource Protection Areas consistent with the goals and objectives of the Chesapeake Bay Preservation Act, this chapter, and to identify specific measures for the mitigation of those impacts. There shall be two types of water quality impact assessments: a minor assessment and a major assessment.

- a. *Minor water quality impact assessment.* A minor water quality impact assessment shall be required for a development or redevelopment which involves 2,500 square feet or less of land disturbance. The minor water quality assessment must demonstrate that the combination of undisturbed conservation area, restoration plantings and identified best management practices or measures will be effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff. The minor water quality impact assessment shall include a site drawing, to scale if practicable, which shows the following:

- (i) The location of the resource protection area;
- (ii) The location, ~~and~~ nature and quantification of proposed encroachments into the resource protection area, including type of material proposed to be used for access paths, areas of clearing or

grading, location of any structures, drives or other impervious surfaces;

- (iii) Justification for ~~any~~ the proposed encroachment;
- (iv) Type and proposed location of any best management practice facilities or measures; ~~and~~
- (v) Existing and proposed runoff outfalls from the property;
- (vi) Location and density of existing vegetation on site, including the number and type of trees and other vegetation to be removed in the conservation area as a result of the encroachment or modification; and
- (vii) A restoration plan that includes the replacement of vegetation that has been removed from the conservation area. The type, quantity and density of vegetation shall be capable of retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff.

b. *Major water quality impact assessment.* A major water quality impact assessment shall be required for a development which exceeds 2,500 square feet of land disturbance. The major water quality impact assessment shall be prepared by a qualified expert and shall include:

- (i) All information required for a minor water quality impact assessment;
- (ii) ~~The site's existing topography, soil characteristics, erosion potential and hydrology;~~ A description of the proposed encroachment including:
 - 1. A description of the proposed improvements, including structures (including the type and size), roads, access paths, irrigations systems, lighting systems, and utilities;
 - 2. If an access path is proposed, an identification of the location of the path and the materials that will be used for the path.
- (iii) ~~A description of impacts on wetlands and streams;~~ A description of the encroachment site's physical characteristics including:
 - 1. The site's existing topography, soil characteristics, erosion potential and hydrology;

2. A description of wetland areas including their functions and values;
 3. A description of streams and other water bodies;
 4. Location and density of existing vegetation on site, including the number and type of trees and other vegetation categorized by type (e.g. shrubs, trees, groundcover) within 50 feet of the proposed land disturbance.
- (iv) A description of measures to mitigate any identified impacts; A discussion of the potential water quality impacts of the proposed encroachment, including:
1. A quantification of any identified impacts on streams or other water bodies, including potential erosion and sedimentation that could enter those waters as a result of the encroachment;
 2. An identification and quantification of any impacts on wetlands, including impacts on wetland hydrology;
 3. An identification of temporary or permanent impacts to streams or other water bodies;
 4. An identification of any areas to be disturbed outside the resource protection area that have the potential to adversely affect the resource protection area;
 5. The limits of clearing, grading and the percent of the site to be cleared;
 6. Where applicable, an estimation of the pre-construction and post-construction pollutant loads;
 7. Estimation of the percent increase in impervious cover;
 8. A discussion of the number and type of trees and other vegetation to be removed in the conservation area as a result of the encroachment or modification;
 9. A discussion of proposed changes to the site topography and hydrology and the impacts of those changes on water quality;
 10. A construction schedule, including the anticipated duration of construction.

(v) ~~A list of trees six inches or greater in diameter at breast height and of indigenous vegetation which is within 50 feet of the proposed land disturbance;~~ A discussion of measures to mitigate the identified impacts, including:

1. A Restoration Plan that includes the replacement of vegetation that has been removed from the conservation area. The Plan shall include the schedule for replanting, which shall take into account the appropriate season for replanting. The type, quantity and density of vegetation specified shall be capable of retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff. The vegetation specified plantings shall, to the maximum extent practicable, consist of native species.
2. A listing of proposed erosion and sediment control measures, including additional measures that are beyond those required chapter 8 of the Code of Chesterfield County;
3. A listing of best management practices and measures to reduce impacts on water quality;
4. A discussion that demonstrates, in a quantifiable manner, that the combination of revegetation and best management practices will achieve pollutant removal that is equivalent to that which is achieved without the encroachment.
5. A listing of other mitigation measures that may be required by the director of environmental engineering or the water quality administrator.

~~(vi) The limits of clearing and grading and proposed measures to preserve existing trees and indigenous vegetation;~~

~~(vii) Proposed plantings and other vegetative measures to enhance water quality and a proposed construction schedule; and~~

~~(viii) Other measures required by the director of engineering to ensure that the impact on water quality can be accurately predicted.~~

(f) When a person has violated the requirements of this subsection, the violator shall submit a resource protection area restoration plan to the water quality administrator for review and approval. The intent of the restoration plan is to ensure that the resource protection area function are restored in a manner that will achieve the pollutant removal requirements as defined in 19-232(b)(1). The restoration plan shall specify the types and number of vegetation to be planted and a schedule for the installation of the plantings. When determined to be necessary by the water quality administrator, the violator shall provide surety in an amount sufficient, as

determined by the water quality administrator, to purchase and reinstall any vegetation required by the restoration plan that has not survived for one year from date of installation. The surety must be in a form approved by the county attorney's office and may consist of a certified check, cash escrow, a surety bond, or a letter of credit from a financial institution. The establishment of a lawn shall not constitute a satisfactory restoration of the resource protection area.

Sec. 19-233. ~~Resource management area regulations~~ General performance criteria.

Any use, development or redevelopment of land within a Chesapeake Bay Preservation Area shall meet the following performance criteria:

- (a) No more land shall be disturbed than is necessary to provide for the desired proposed use or development.
 - (b) Indigenous vegetation shall be preserved to the maximum extent possible practicable consistent with the use or development allowed.
 - (c) Land development shall minimize impervious cover consistent with the use or development allowed.
 - (d) ~~(1) Stormwater runoff shall be controlled to achieve the following: All development exceeding 2,500 square feet of land disturbance shall be subject to the site plan or subdivision review processes.~~
 - a. ~~For any new use or development, the post development nonpoint source pollution runoff load shall not exceed the pre development load, based on the calculated average land cover condition of the county.~~
 - b. ~~For redevelopment sites not currently served by water quality best management practices, the existing nonpoint source pollution load shall be reduced by at least ten percent after redevelopment.~~
 - c. ~~For redevelopment sites currently served by water quality best management practices, the post development nonpoint source pollution runoff load shall not exceed the existing load.~~
 - (e) Any land disturbing activity that exceeds an area of 2,500 square feet (including construction of all single family houses, septic tanks and drainfields, but other wise as defined in § 10.1-560 of the Code of Virginia) shall comply with the requirements of the local erosion and sediment control ordinance.
 - (f) Stormwater management criteria consistent with the water quality protection provisions (4 VAC 3-20-71 et. seq.) of the Virginia Stormwater Management Regulations (4 VAC 3-20) shall be satisfied.
- (2) (1) The following stormwater management options shall be considered to comply with the requirements of this subsection ~~(d)(1)~~:

- a. ~~Incorporation on the site of best management practices that achieve the required control.~~ meet the water quality protection requirements set forth in this subsection. For the purposes of this subsection, the "site" may include multiple projects or properties that are adjacent to one another or lie within the same drainage area where a single best management practice will be utilized by those projects to satisfy water quality protection requirements;
 - b. ~~Compliance with a locally adopted regional stormwater management program incorporating pro rata share payments pursuant to the authority provided in Code of Virginia, § 15.2-2243, that achieves equivalent water quality protection~~ the Watershed Management Plan for the Swift Creek Reservoir which has been found by the Chesapeake Bay Local Assistance Board to achieve water quality protection equivalent to that required by this subsection;-
 - c. ~~Compliance with a state or locally implemented program of stormwater discharge permits pursuant to section 402(p) of the federal Clean Water Act, as set forth in 40 CFR 122, 123, 124 and 504, dated December 7, 1988, and as amended.~~ site-specific VPDES permit issued by the Department of Environmental Quality, provided the department of environmental engineering specifically determines that the permit requires measures that collectively achieve water quality protection equivalent to that required by this subsection.
 - d. ~~For a redevelopment site that is completely impervious as currently developed, restoring a minimum of 20 percent of the site to vegetated open space.~~
- (3) (2) Any maintenance, alteration, use or improvement to an existing structure ~~which~~ that does not degrade the quality of surface water discharge, as determined by the director of environmental engineering, may be exempted from the requirements of this subsection. Any person aggrieved by a decision of the director of environmental engineering under this subsection may appeal such decision in accordance with the procedures provided in section 19-268(d).
- (4) (3) ~~Compliance with the requirements of subsection (d)(1)a shall be determined by reference to total phosphorus loads in stormwater runoff. The post development total phosphorus loads in stormwater runoff shall not exceed 0.45 pounds per acre per year.~~ Stormwater management criteria for redevelopment shall apply to any redevelopment.
- (e) (g) If Where the best management practices utilized in a commercial development require regular or periodic maintenance in order to continue their functions, such

maintenance shall be ensured by a maintenance/easement agreement, commercial surety bond, bank letter of credit or other assurance satisfactory to the director of environmental engineering. If Where the best management practices utilized for a residential development require regular or periodic maintenance in order to continue their functions, such maintenance shall be ensured by a commercial surety bond, bank letter of credit or cash escrow in an amount equal to \$100.00 for each dwelling unit in a residential development. The requirement excludes apartment developments outside the Swift Creek Reservoir Watershed. The form of any bond or letter of credit provided pursuant to this section shall be subject to approval by the county attorney.

- (f) (h) Land on which agricultural activities are being conducted, including but not limited to crop production, pasture, and dairy and feedlot operations, shall have a soil and water quality conservation ~~plan approved by the James River Soil and Water Conservation District. Such plan shall be based upon the Field Office Technical Guide of the U.S. Farm Service Agency Soil Conservation Service and~~ accomplish water quality protection consistent with this section assessment conducted that evaluates the effectiveness of existing practices pertaining to soil erosion and sediment control, nutrient management, and management of pesticides and, where necessary, results in a plan that outlines additional practices needed to ensure that water quality protection is being accomplished consistent with the Chesapeake Bay Preservation Act and this division.
- ~~(g)~~ (i) The director of environmental engineering may authorize the developer to use a retention or detention basin or alternative best management practice facility to achieve the performance criteria set forth in ~~subsection (d)~~ this chapter.
- (j) The department of environmental engineering shall require evidence of all wetlands permits required by law prior to authorizing grading or other on-site activities.
- (k) Proposed new golf courses and the significant refurbishment of existing golf courses shall conform to the following criteria. Significant refurbishment entails complete redesign and construction of existing golf course fairways and greens and shall not constitute simply replanting of grass on existing fairways and greens:
 - (1) A nutrient and pest management plan must be submitted and approved by the environmental engineering department and the county extension agent prior to the initiation of golf course operations. All components of the plan shall be implemented for the life of the golf course.
 - (2) As much stormwater runoff as practicable shall be directed to ponds or golf course features that have a pollutant removal capacity. Where this is not achievable, all fertilized areas and parking areas must drain through another form of best management practice (BMP) facility prior to entering

an adjacent water body. The department of environmental engineering shall approve such BMPs.

- (3) Cart paths crossing natural watercourses shall be constructed at least one foot above the 100-foot floodplain elevation. Such crossing structures shall employ the column and beam construction method when crossing resource protection areas, Riparian Corridor Management Areas (as defined by the Swift Creek Reservoir Management Plan & Maintenance Program), and wetlands.

Sec. 19-234. Exemptions in resource protection areas.

~~(a) Construction, installation, operation and maintenance of electric, gas and telephone transmission lines, railroads and public roads and their appurtenant structures in accordance with the Erosion and Sediment Control Law, Code of Virginia, §§ 10.1-560-10.1-571, or an erosion and sediment control plan approved by the Virginia Soil and Water Conservation Board shall constitute compliance with this division's requirements. The following land disturbances in resource protection areas may be exempt from the criteria of section 19-232 provided that, in the judgment of the director of environmental engineering, they comply with subdivisions 1 through 4 below: (i) water wells; (ii) passive recreation facilities such as boardwalks, trails and pathways; and (iii) historic preservation and archaeological activities.~~

- (1) Any required permits, except those to which this exemption specifically applies, shall have been issued;
- (2) Sufficient and reasonable proof is submitted that the intended use shall not result in an adverse impact on water quality;
- (3) The intended use does not conflict with nearby planned or approved uses; and
- (4) Any land disturbance exceeding an area of 2,500 square feet shall comply with all erosion and sediment control requirements of chapter 8 and the Code of Chesterfield County.

~~(b) Construction, installation and maintenance of water, sewer and local gas lines shall be exempt from this division's requirements, provided that:~~

- ~~(1) To the degree possible, the location of such utilities and facilities should be outside resource protection areas.~~
- ~~(2) No more land than necessary shall be disturbed to provide for the desired utility installation.~~
- ~~(3) All construction, installation and maintenance of such utilities and facilities shall be in compliance with any applicable federal, state and local requirements and permits and designed and conducted in a manner that protects water quality.~~

~~(4) Any land disturbance exceeding an area of 2,500 square feet shall comply with all erosion and sediment control requirements of chapter 8 and this division.~~

~~(e) (b)~~ Silvicultural activities in Chesapeake Bay Preservation Areas shall be exempt from this division's requirements, provided that such activities adhere to water quality protection procedures prescribed by the department of forestry in its "Best Management Practices Handbook for Forestry Operations," as amended. The Virginia Department of Forestry will oversee and document installation of best management practices and will monitor in-stream impacts of forestry operations in Chesapeake Bay Preservation Areas. This exemption shall not apply to land disturbing activities on land in an agriculturally zoned district which is not used directly for the management of agricultural crops, forest crops and livestock, or land which has been rezoned or converted, or proposed to be rezoned or converted, at the request of the owner or previous owner, from an agricultural to a residentially, commercially or industrially zoned district or use.

~~(d) The following land disturbances may be exempted from resource protection area regulations:~~

~~(1) Water wells;~~

~~(2) Passive recreation facilities such as boardwalks, trails, pathways and gazebos; and~~

~~(3) Historic preservation and archaeological activities; provided that the director of environmental engineering finds that:~~

~~a. Any required permits, except those to which this exemption specifically applies, shall have been issued;~~

~~b. Sufficient and reasonable proof is submitted that the intended use shall not deteriorate water quality;~~

~~c. The intended use does not conflict with nearby planned or approved uses; and~~

~~d. Any land disturbance exceeding an area of 2,500 square feet shall comply with all erosion and sediment control requirements of chapter 8 and this division.~~

~~(e) (c)~~ Nonresidential uses which are located over 100 feet from and are not adjacent to R, R-MF or R-TH Districts or any property used for residential purposes, schools, child care centers, playgrounds, shopping centers, libraries, hospitals, public institutions or similar facilities shall be exempt from the provisions of sections ~~19-233(g)(2)a-e and (3)d~~ 19-241.

Sec. 19-235. Exemptions and Exceptions.

~~(a) A written request for an exception to this division's requirements shall be made to the director of environmental engineering. It shall identify the impact of the proposed exception on water quality, on public safety and on lands within the resource protection area through the~~

~~performance of a water quality impact assessment which complies with section 19-232(c), provided that in the case of an exception requested from the required safety measures, a water quality impact assessment shall not be required if the request is supported by documentation which demonstrates that the request will not be detrimental to public safety and welfare. Public utilities, railroads, public roads, and facilities exemptions.~~

(1) Construction, installation, operation and maintenance of electric, natural gas, fiber-optic and telephone transmission lines, railroads and public roads and their appurtenant structures in accordance with (i) the Erosion and Sediment Control Law (Va. Code §10.1-560 et seq.), and the Stormwater Management Act (Va. Code § 10.1-603.1 et seq.), or (ii) an erosion and sediment control plan and stormwater management plan approved by the Virginia Department of Conservation and Recreation. The exemption of public roads is further conditioned as follows: optimization of the road alignment and design, consistent with other applicable requirements, to prevent or otherwise minimize encroachment in the Resource Protection Area and adverse impacts on water quality.

(2) Construction, installation and maintenance of water, sewer natural gas, and underground telecommunications and cable television lines owned, permitted, or both, by the county or a regional service authority shall be exempt from this division's requirements, provided that:

- a. To the degree possible, the location of such utilities and facilities should be outside resource protection areas.
- b. No more land than necessary shall be disturbed to provide for the proposed utility installation.
- c. All construction, installation and maintenance of such utilities and facilities shall be in compliance with any applicable federal, state and local requirements and permits and designed and conducted in a manner that protects water quality.
- d. Any land disturbance exceeding an area of 2,500 square feet shall comply with all erosion and sediment control requirements of chapter 8 and this division.

(b) ~~The director of environmental engineering shall review the exception request and the water quality impact assessment, if required. In making a determination, he may impose conditions or require alternatives that are necessary to protect water quality, protect the public safety and welfare and further the purpose and intent of this division. He may grant the exception if he finds all of the following: Exceptions.~~

(1) ~~Granting the exception shall not confer any special privileges upon the applicant that are denied by this division to other property owners in resource protection areas or resource management areas. Exceptions to the requirements of sections~~

19-232 and 19-233 may be granted, subject to the procedures set forth in 19-235(b)(2), provided that a finding is made that:

- a. The requested exception is the minimum necessary to afford relief.
- b. Granting the exception shall not confer any special privileges upon the applicant that are denied by this division to other property owners who are subject to its provisions and who are similarly situated.
- c. The exception is in harmony with the purpose and intent of this division and will not result in a substantial detriment to water quality.
- d. The exception request is not based on conditions or circumstances that are self-created or self-imposed.
- e. Reasonable and appropriate conditions are imposed, as warranted, that will ensure that the permitted activity will not cause a degradation of water quality.
- f. The request is being made because of the particular physical surroundings, use, shape or topographical conditions of the specific property involved or property adjacent to or within 100 feet of the subject property, or a particular hardship to the owner will occur, as distinguished from a mere inconvenience, if the strict letter of this division is carried out.

(2) ~~The exception request is not based on conditions or circumstances that are self-created or self-imposed.~~ Exception process.

- a. Exceptions to requirements of section 19-232.
 - 1. A request for an exception to the requirements of section 19-232, except for an encroachment permitted under 19-232(d), shall be made in writing to the planning commission. It shall identify the impact of the proposed exception on water quality, on public safety and on lands within the resources protection area through development of a water quality impact assessment which complies with section 19-232 (e). Exception requests seeking relief from the best management practice facility safety measures and design criteria required in sections 19-241 and 19-242 shall not require the completion of a water quality impact assessment if the request is supported by documentation which demonstrates that the request will not be detrimental to public safety and welfare.
 - 2. The planning department shall notify the affected public of any such exception requests and the planning commission shall consider these requests during a public hearing in accordance with Va. Code § 15.2-2204, except that only one hearing shall be required.

3. The planning commission shall review the request for an exception and the water quality impact assessment and may grant the exception with such conditions and safeguards as deemed necessary to further the purpose and intent of this division only if the commission makes the findings set forth in section 19-235(b)(1).

4. If the planning commission cannot make the required findings or refuses to grant the exception, it shall return the request for an exception together with the water quality impact assessment and the written findings and rationale for the decision to the applicant.

b. Exceptions to the requirements of section 19-233. Upon written request, the director of environmental engineering may approve exceptions to the requirements of section 19-233 when the director finds that the criteria of section 19-235(b)(1) have been satisfied.

~~(3) — The exception request is the minimum necessary to afford relief.~~

~~(4) — The exception request will be consistent with the purpose and intent of this division and not injurious to the neighborhood or otherwise detrimental to public safety and welfare.~~

~~(5) — The request is being made because of the particular physical surroundings, use, shape or topographical conditions of the specific property involved or property adjacent to or within 100 feet of the subject property, or a particular hardship to the owner will occur, as distinguished from a mere inconvenience, if the strict letter of this chapter is carried out.~~

~~(c) — Any person aggrieved by the director of environmental engineering's decision concerning an exception request may appeal the decision in accordance with section 19-268.~~

Sec. 19-236. Other exceptions.

(1) In addition to the requirements of this chapter, no use which is nonconforming to the requirements of this division, in a Chesapeake Bay preservation area, shall be enlarged, extended, reconstructed, substituted or structurally altered unless the director of environmental engineering grants an exception pursuant to section 19-235, and also finds that:

a. There will be no net increase in the nonpoint source pollution load; and

b. Any development or land disturbance exceeding an area of 2,500 square feet complies with all erosion and sediment control requirements of chapter 8 and division 4 of article IV of this chapter.

- (2) This division shall not be construed to prevent the reconstruction of pre-existing structures within Chesapeake Bay Preservation Areas from occurring as a result of casualty loss unless otherwise restricted by applicable ordinance.

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Sec. 19-241. Design criteria for all basins.

All basins required by the director of environmental engineering as either a stormwater management facility or a Best Management Practice for water quality improvement or designed as a retention or detention facility for any new development or redevelopment of property shall conform to the following criteria:

(1) *Safety criteria.*

a. Outflow device safety measures.

1. If a vertical sided weir box is located within the basin's embankment, a six-foot fence or dense vegetative barrier, or a combination thereof, shall be installed as prescribed by the director of environmental engineering. If a dense vegetative barrier is used, it shall be designed and installed in accordance with professionally accepted landscaping practices and procedures. ~~Plans for the vegetative barrier, including the size and description of proposed plant materials, shall be approved by the director of environmental engineering.~~ The director of environmental engineering shall approve plans for the vegetative barrier, including the size and description of proposed plant materials. The dense vegetative barrier shall be a minimum of six feet in width. If a fence or vegetative barrier is to be established around the entire basin facility in accordance with subsection (1)(b), then no barrier or fence is required around the weir box. If a developer uses a concrete weir for either the principal or emergency spillway and the concrete weir is greater than three feet in depth, a pedestrian crossing or access structure shall be established across the weir. A fence or vegetative barrier, or combination thereof, may be substituted if the pedestrian crossing is not practicable.

b. Basin safety measures and dimensions.

1. The following safety measures shall be required for that portion of each basin ~~which~~ that has a side slope above the normal water surface ~~which~~ that is steeper than 6:1 over a horizontal distance of 20 feet or more.

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4. If a fence is used, the minimum height of the fence shall be six feet. The fence may be made of a dense vegetative barrier. If the fence is made of a vegetative barrier, it shall be designed and installed in accordance with professionally accepted landscaping practices and procedures. ~~Plans for the vegetative barrier, including the size and description of proposed plant materials, shall be approved by the director of environmental engineering.~~ The director of environmental engineering shall approve plans for the vegetative barrier, including the size and description of proposed plant materials. If a vegetative barrier is used, the property owner or developer shall provide to the county a form of surety for the cost of materials and installation for the proposed plant materials. Provisions for maintenance of and access to the fence or vegetative barrier shall be included in the best management practice easement dedication.

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6. Side slopes. The side slopes above the normal water surface elevation in basins shall be no steeper than 3:1 (horizontal to vertical). If the excavation of the slope to 3:1 will result in the removal of dense vegetation or woodland ~~which~~ that is acting to stabilize the slope, the developer may seek an exception from the director of environmental engineering pursuant to the provisions of section 19-235 to leave the slope in its existing condition.

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Sec. 19-242. Minimum criteria for basins serving as a best management practice for water quality improvement.

(a) *Depth.* Basins sized solely as best management practice facilities in conformance with the Chesapeake Bay Preservation Act shall have a range in depth of three to eight feet to prevent stratification. For those basins which have been designed with sections which exceed eight feet in depth, only those portions which are less than eight feet in depth shall be included as part of the best management practice facility volume. Basins ~~which~~ that are less than one acre in surface area shall not exceed eight feet in depth.

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Sec. 19-301. Definitions.

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Nontidal wetlands: Those wetlands other than tidal wetlands "that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions", as defined by the U.S. Environmental Protection Agency pursuant

to section 404 of the federal Clean Water Act in 33 CFR 328.3b, ~~dated November 13, 1986, as amended.~~

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Resource protection area: That component of the Chesapeake Bay preservation area comprised of lands ~~at or near the shoreline~~ adjacent to water bodies with perennial flow that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts that may result in significant degradation to the quality of state waters.

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Silvicultural activities: Forest management activities, including but not limited to the harvesting of timber, the construction of roads and trails for forest management purposes, and the preparation of property for reforestation that are conducted in accordance with the silvicultural best management practices developed and enforced by the State Forester pursuant to Va. Code § 10.1-1105 and are located on property defined as real estate devoted to forest use under Va. Code § 58.1-3230.

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Tidal wetlands: Vegetated and nonvegetated wetlands as defined in Va. Code § 28.2-1300.

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Tributary stream: ~~Any perennial stream that is so depicted as a solid blue line on the most recent U.S. Geological Survey 7.5 minute topographic quadrangle map (scale 1:24,000).~~

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Water Body with Perennial Flow: A body of water that flows in a natural or man-made channel year-round during a year of normal precipitation. This includes, but is not limited to streams, estuaries, and tidal embayments and may include drainage ditches or channels constructed in wetlands or from former natural drainage ways, which convey perennial flow. Lakes and ponds, through which a perennial stream flows, are a part of the perennial stream. Generally, the water table is located above the streambed for most of the year and groundwater is the primary sources for stream flow.

o o o

Water-dependent facility: A development of land that cannot exist outside of a resource protection area and must be located on the shoreline because of the intrinsic nature of its operation. These facilities include, but are not limited to:

- (1) Ports.

- (2) The intake and outfall structures of power plants, water treatment plants, sewage treatment plants and storm sewers.
- (3) Marinas and other boat docking structures.
- (4) Natural bBeaches and other water-oriented recreation areas.
- (5) Fisheries or other marine resources facilities.

o o o

- (2) *That this ordinance shall become effective immediately upon adoption.*



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: May 26, 2004

Item Number: 16.B.

Subject:

Public Hearing to Consider Amendments to Sections 19-159, 19-161 and 19-637 of the Zoning Ordinance Relating to Motor Vehicle Sales and Repair in C-3 and C-4 Zoning Districts

County Administrator's Comments:

Recommend the Board adopt the Planning Commission recommendation.

County Administrator: _____ *TLR*

Board Action Requested:

The Planning Commission recommends approval of amendment to section 19-159 of the zoning ordinance (Amendment B-1). Staff recommends a change in format of section 19-159(f)(8) as shown in bold type on the last page of the amendment. This change does not modify the standard.

The Planning Commission and staff recommend denial of amendment to sections 19-159, 19-161 and 19-637 of the zoning ordinance (Amendment A).

Summary of Information:

On March 16, 2004, the Planning Commission held their public hearing on the attached zoning ordinance amendments. Six (6) people, representing the Chesterfield County Chamber of Commerce and the automotive sales community, spoke in opposition to Amendment A and in support of Amendment B-1.

Following the public hearing, the Planning Commission unanimously recommended approval of Amendment B-1 and denial of Amendment A.

Preparer: Thomas E. Jacobson

Title Director of Planning
C:\DATA\AGENDA\2004\APR28\MOTOR SALES\GOK

Attachments:



Yes



No

#

000267

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

Subsequent to the Planning Commission public hearing, staff discovered a grammatical error in section 19-159(f)(8). To resolve this, staff recommends the Board of Supervisors approve Amendment B-1 with the alternate language shown in **bold type** on the last page of Amendment B-1. This modification does not change the new ordinance standard recommended by the Planning Commission and is acceptable to the automotive sales community.

The Board directed the Planning Commission to review and make a recommendation on a zoning ordinance amendment (Amendment A) that would require a conditional use for motor vehicle sales (MVS) on any property zoned C-3 and, the way the zoning ordinance is constructed, any property zoned C-4. Approximately sixteen (16) existing dealers would become legally non-conforming with the approval of this amendment. Those dealers could continue to operate but would need a conditional use to expand or to rebuild after major damage to their existing facility.

In an attempt to address the Board's concerns about the potential negative impact new MVS facilities could have on some existing neighborhoods and prevent existing MVS facilities from becoming legally non-conforming, the Planning Commission considered and recommended approval of an alternative zoning ordinance amendment (Amendment B-1) that would leave MVS as a restricted use in C-3 and C-4 zoning districts. An eighth restriction, prohibiting new shopping center locations from being used for MVS facilities unless a conditional use is granted, is added to the existing list of restrictions. Existing MVS facilities located within shopping centers are "grand-fathered" and may continue to operate per today's standards.

This amendment also adds restrictions for motor vehicle repair (MVR) facilities. These restrictions are similar to those for MVS facilities and will provide the same protection for adjacent property owners. Existing MVR are "grand-fathered" and may continue to operate per today's standards.

No dealers or repair facilities would become legally non-conforming with the adoption of Amendment B-1.

000268

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING AND RE-ENACTING SECTION 19-159 RELATING TO MOTOR VEHICLE REPAIR, AND MOTOR VEHICLE SALES IN C-3 AND C-4 DISTRICTS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) *That Section 19-159 of the Code of the County of Chesterfield, 1997, as amended, is amended and re-enacted to read as follows:*

Sec. 19-159. Uses permitted with certain restrictions.

The following uses shall be permitted in the C-3 District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section 19-13:

o o o

(c) Motor vehicle repair, excluding body, major engine and transmission repair, provided that:

(1) sSuch use is not located in the Chester Village Area - ;

(2) Except as noted in subsection (3), the following conditions shall be met:

- a. All such uses shall be set back a minimum of 100 feet from adjacent R, RTH, R-MF and O Districts or A Districts that are shown on the comprehensive plan for R, R-TH, R-MF or O use. This setback shall be landscaped according to section 19-522(a)(4) of the Development Standards Manual.
- b. Storage yards for vehicles awaiting body repair, painting, auction or wholesale sales shall be screened from view of any adjacent properties on which such yards are not permitted or do not exist, and from external public roads or areas currently zoned agricultural and shown on the comprehensive plan for residential or office use;
- c. Except for minimal repairs necessary to allow a vehicle to be moved into the service area, all allowed repair activities and storage of new or replaced repair materials shall occur inside the buildings unless screened as required by Section 19-159(h).
- d. Such use is not located within a shopping center.

- (3) The requirements of subsection (2) shall not apply to any motor vehicle repair facility in operation prior to (date of adoption).

o o o

- (f) Motor vehicle sales and rental, excluding commercial vehicles such as buses, tractor-trailer trucks, dump trucks, stake bed trucks, vans where the cargo area cannot be accessed from the driver's seat without exiting the vehicle and/or cab and chassis vehicles; construction equipment and motor vehicle consignment lots, and as accessory to sales and rental, service and repair, to exclude body repair, provided that:
- (1) Motor vehicle service and repair is not located in the Chester Village Area as identified in Section 19-606.
 - (2) All such uses shall be set back a minimum of 100 feet from adjacent R, RTH, R-MF and O Districts or A Districts that are shown on the comprehensive plan for R, R-TH, R-MF or O use. This setback shall be landscaped according to section 19-522(a)(4) of the Development Standards Manual.
 - (3) Storage yards for vehicles awaiting body repair, painting, auction or wholesale sales shall be screened from view of any adjacent properties on which such yards are not permitted or do not exist, and from external public roads or areas currently zoned agricultural and shown on the comprehensive plan for residential or office use.
 - (4) All garage-type doors shall be oriented away from, or screened from view of, adjacent residential or office zoned properties, external roads or areas currently zoned agricultural and shown on the comprehensive plan for residential or office use.
 - (5) There shall be no elevated display of motor vehicles
 - (6) Except for minimal repairs necessary to allow a vehicle to be moved into the service area, All allowed repair activities and storage of new or replaced repair materials shall occur inside the buildings unless screened as required by Section 19-159(h).
 - (7) Motor vehicle sales is not located in Village Districts as identified in Section 19-606.

[RESTRICTION 8 AS RECOMMENDED BY THE PLANNING COMMISSION]

(8) Shopping centers

- a. Except as noted in subsection (b), such use is not located within a shopping center.
- b. The requirement of subsection (a) shall not apply to any such use existing prior to (date of adoption).

[ALTERNATE RESTRICTION 8 AS RECOMMENDED BY STAFF]

(8) Such use is not located within a shipping center unless the use was in existence prior to (date of adoption).

- (2) *That this ordinance shall become effective immediately upon adoption.*

AMENDMENT A

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING AND RE-ENACTING SECTIONS 19-159, 19-161 AND 19-637 RELATING TO MOTOR VEHICLE SALES IN C-3 AND C-4 DISTRICTS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) *That Sections 19-159, 19-161 and 19-637 of the Code of the County of Chesterfield, 1997, as amended, are amended and re-enacted to read as follows:*

Sec. 19-159. Uses permitted with certain restrictions.

The following uses shall be permitted in the C-3 District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to the provisions of section 19-13:

o o o

- (f) ~~Motor vehicle sales and rental, excluding commercial vehicles such as buses, tractor-trailer trucks, dump trucks, stake bed trucks, vans where the cargo area cannot be accessed from the driver's seat without exiting the vehicle and/or cab and chassis vehicles; construction equipment and motor vehicle consignment lots, and as accessory to sales and rental, service and repair, to exclude body repair, provided that:~~
 - (1) ~~Motor vehicle service and repair is not located in the Chester Village Area as identified in Section 19-606.~~
 - (2) ~~All such uses shall be set back a minimum of 100 feet from adjacent R, RTH, R-MF and O Districts or A Districts that are shown on the comprehensive plan for R, R-TH, R-MF or O use. This setback shall be landscaped according to section 19-522(a)(4) of the Development Standards Manual.~~
 - (3) ~~Storage yards for vehicles awaiting body repair, painting, auction or wholesale sales shall be screened from view of any adjacent properties on which such yards are not permitted or do not exist, and from external public roads or areas currently zoned agricultural and shown on the comprehensive plan for residential or office use.~~
 - (4) ~~All garage type doors shall be oriented away from, or screened from view of, adjacent residential or office zoned properties, external roads or areas currently zoned agricultural and shown on the comprehensive plan for residential or office use.~~

AMENDMENT A

- ~~(5)~~ There shall be no elevated display of motor vehicles.
- ~~(6)~~ All allowed repair activities and storage of new or replaced repair materials shall occur inside the buildings unless screened as required by Section 19-159(h).
- ~~(7)~~ Motor vehicle sales is not located in Village Districts as identified in Section 19-606.
- ~~(g)~~ (f) Warehouses for permitted uses, provided that such buildings shall be set back a minimum of 100 feet from adjacent R, R-TH, R-MF or O Districts or A Districts that are shown on the comprehensive plan for R, R-TH, R-MF or O use when loading/warehouse areas are oriented toward such properties. The 100-foot setback shall be landscaped according to section 19-513(a)(4) of the Development Standards Manual. When loading/warehouse areas are oriented away from adjacent R, R-TH, R-MF or O Districts, setbacks shall be governed by the setbacks of this district.
- ~~(h)~~ (g) Outside storage, as accessory to a permitted use, including, but not limited to: retail building materials; construction equipment/materials; outside runs for commercial kennels or veterinary hospitals; feed/seed items; garden centers, greenhouses, hot houses; miscellaneous materials for retail/wholesale sales; provided that:

 - (1) Such uses are screened from view of any adjacent properties on which such uses are not permitted or do not exist, and from areas currently zoned A and designated on the comprehensive plan for R, A, O, or I-1 uses and external public road rights-of-way.
 - (2) No more than ten percent of the gross floor area of the principal use may be used for outdoor storage.
- ~~(i)~~ (h) Continuous outside display of merchandise for sale, as accessory to a permitted use, provided that: (1) merchandise shall be located under a covered pedestrian way that does not exceed 16 feet in width; (2) no more than five percent of the gross floor area of the principal use shall be used for outside display purposes; and (3) merchandise is displayed so that it does not obstruct pedestrian access.
- ~~(j)~~ (i) Residential multifamily and townhouses, provided that:

 - (1) No more than 30 percent of the gross acreage of any project may be used for R-MF or R-TH uses. Such uses shall be incorporated into an integrated schematic plan.
 - (2) No such residential uses shall be permitted until the following requirements are satisfied:

AMENDMENT A

- a. Construction has begun on a minimum of 50 percent of the gross site area devoted to nonresidential uses;
- b. The minimum size for a project incorporating R-TH uses is 34 gross acres, while the minimum size for a project incorporating RMF uses is 67 gross acres; and
- c. Such uses comply with the requirements of the R-TH District or the R-MF Zoning District, except that densities for multifamily uses may be increased to 14 units per acre.

~~(k)~~ (j) Prepared food and fruit and vegetable vendors, provided that:

- (1) Only prepared food fruits and vegetables shall be sold;
- (2) They shall be permitted only on a lot or parcel occupied by a permanent use;
- (3) They shall be located where improved permanent parking facilities are available for their use, provided that the required minimum and most convenient parking spaces for the existing permanent use shall be used;
- (4) Any temporary structure, vehicle, sign or other material associated with or resulting from the use shall be removed from the lot or parcel no later than 24 hours following the end of the temporary sale cessation of the use; and
- (5) All vendor areas shall be located a minimum of 1,000 feet from any property in an R, R-TH or R-MF District or any property currently zoned Agricultural and designated for residential use on the comprehensive plan unless the sales area is separate from the property by a permanent building, provided that all such areas shall be located in accordance with the district's minimum yard setbacks.

o o o

Sec. 19-161. Conditional uses.

The following uses may be allowed by conditional use in the C-3 District, subject to the provisions of section 19-13:

- (a) Any conditional use allowed in the C-2 District, unless previously permitted in this district.

~~(e)~~ (b) Computer controlled variable message electronic signs.

AMENDMENT A

- (c) Motor vehicle sales and rental and, accessory to those uses, motor vehicle service and repair. The following uses shall be excluded:
- (1) The sales and rental of commercial vehicles such as buses, tractor-trailer trucks, dump trucks, stake bed trucks, vans where the cargo area cannot be accessed from the driver's seat without exiting the vehicle and/or cab and chassis vehicles
 - (2) Construction equipment and
 - (3) Motor vehicle consignment lots.
- ~~(b)~~ (d) Subject to the following requirements, other uses which are not specifically enumerated in this chapter and which are of the same general character as the specifically enumerated uses allowed in this district. Before the planning commission and board of supervisors hear an application pursuant to this subsection, the director of planning shall consider, among other things, the following: the size and proposed configuration of the site; the size, height and exterior architectural appearance of any proposed structure or structures; noise; light; glare; odors; dust; outdoor activities; traffic; parking; signage; and hours of operation. Based on these considerations, he shall determine that the proposed use's operating characteristics are substantially similar to, and its impact on neighboring properties no greater than, the operating characteristics and impacts of the specifically enumerated uses allowed in this district.

o o o

Sec. 19-637. Limitation on specific signs.

- (a) Changeable copy signs.
 - (1) Changeable copy is not permitted, unless the changeable component of the sign face occupies one-half or less of the total area of the sign face. This restriction does not apply to changeable copy used in movie theater and fuel price signs.
 - (2) If changeable copy is used, it shall abut the sign face or be integrated into the sign face, provided, however, if the sign is incorporated into a monument structure, the changeable copy need not abut or be integrated into the sign face. Changeable copy added to signs existing prior to April 25, 2001 shall abut the sign face as close as physically possible.
 - (3) Computer controlled variable message electronic signs may be allowed subject to section 19-161~~(e)~~(b).

o o o

- (2) *That this ordinance shall become effective immediately upon adoption.*



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 4

Meeting Date: May 26, 2004

Item Number: 16.C.

Subject: Public Hearing to Appropriate Funds for Robious Road Widening Projects from Salisbury Road to Twin Team Lane and from Twin Team Lane Towards James River Road; and Authorization to Award Contract and Enter into Agreements for the Projects

County Administrator's Comments:

Recommend approval after public hearing
LEP

County Administrator: _____

Board Action Requested: The Board is requested to appropriate \$1,178,889 in cash proffers from traffic shed 2 and authorize the County Administrator to award a \$1,272,800 construction contract to Richard L. Crowder Construction Company for the Robious Road widening project from Salisbury Road to Twin Team Lane. The Board is also requested to appropriate \$913,120 in cash proffers from traffic shed 1 and authorize the County Administrator to enter into the customary agreements, for the Robious Road widening project from Twin Team Lane towards James River Road.

Summary of Information:

Robious Road Widening (Salisbury Road to Twin Team Lane) -

In January 2003, the Board appropriated \$317,700 in cash proffers from traffic shed 2 and authorized staff to prepare the design, acquire right-of-way and relocate utilities for the widening of Robious Road from Salisbury Road to Twin Team Lane.

(Continued on Next Page)

Preparer: R.J. McCracken

Title: Director of Transportation

Attachments:



Yes



No

#

000276

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Page 2 of 4

Summary (Continued):

A condition of zoning for Tarrington Subdivision requires cash proffer payments of \$468,000 with recordation of the first 60 lots and \$450,000 by March 2005 for improvements to Robious Road west of Salisbury Road. The developer has paid the \$468,000 with the recordation of the first 60 lots and has advanced the \$450,000 payment by a year to help accelerate the widening of Robious Road.

Staff advertised the Robious Road widening project (Salisbury to Twin Team) for construction bids. Richard L. Crowder Construction Company submitted the low bid of \$1,272,800. The bid is approximately 9% above the engineer's estimate. An additional \$1,178,889 in cash proffers from traffic shed 2 should be appropriated for this project. See attachment A. The Board is requested to authorize the County Administrator to award a \$1,272,800 construction contract to Richard L. Crowder Construction Company for this project.

Robious Road Widening (Twin Team Lane towards James River Road)

Citizens have requested the widening of Robious be continued further west of Twin Team Lane. The cash proffer policy states that money collected within a particular shed will be spent on road improvements in the shed or on roads that provide relief to that shed. Cash proffers are available in traffic shed 1. Improvements to Robious Road west of Twin Team, which is located in traffic shed 2, will provide relief to shed 1 traffic. If the Board wishes to continue the widening of Robious Road west of Twin Team Lane, staff recommends \$913,120 from traffic shed 1 be appropriated to the project and authorization given to the County Administrator to enter into the customary VDOT/county/consultant/contractor, design, right-of-way acquisition, and/or construction agreements acceptable to the County Attorney. The detailed engineering plans and available funding will determine the actual length of Robious Road that will be improved west of Twin Team Lane.

(Continued on Next Page)

000277

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
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Page 3 of 4

Recommendation: Staff recommends the Board:

- 1) Appropriate \$1,178,889 in cash proffers from traffic shed 2 and authorize the County Administrator to award a \$1,272,800 construction contract to Richard L. Crowder Construction Company for the Robious Road Widening Project from Salisbury Road to Twin Team Lane.
- 2) Appropriate \$913,120 in cash proffers from traffic shed 1 for widening Robious Road from Twin Team Lane towards James River Road and authorize the County Administrator to enter into the customary VDOT/county/consultant/contractor, design, right-of-way acquisition, and/or construction agreements, acceptable to the County Attorney.

District: Midlothian

000278



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 4 of 4

Meeting Date: May 26, 2004

Budget and Management Comments:

This date has been set to hold a public hearing to consider appropriation of \$2,092,009 in cash proffers. Also requested is award of a construction contract to Richard L. Crowder Construction Company in the amount of \$1,272,800 for the widening of Robious Road from Salisbury Road to Twin Team Lane and from Twin Team Lane towards James River Road. Cash proffers in the amount of \$913,120 are available in Shed 1 and \$1,178,889 in cash proffers is available to appropriate from Shed 2 for these two projects.

Preparer: Rebecca T. Dickson

Title: Director, Budget and Management

000279

ROBIOUS ROAD - SALISBURY ROAD TO TWIN TEAM LANE

MAY 4, 2004 BID RESULTS

Richard L. Crowder Construction	\$1,272,800
Blakemore Contracting Company	\$1,295,000
Central Contracting Company	\$1,355,151

BUDGET

Preliminary Engineering	\$68,000
Right of Way	\$0
Utility Relocation	\$0
Construction Bid	\$1,272,800
Construction Contingency	\$95,789
Construction Administration/Inspection	\$60,000
Total	\$1,496,589

ALLOCATION

Jan. 2003	\$317,700	Traffic Shed 2
May 26, 2004 *	\$1,178,889	Traffic Shed 2
Total	\$1,496,589	

ROBIOUS ROAD - TWIN TEAM LANE TOWARDS JAMES RIVER ROAD

BUDGET

Preliminary Engineering	\$60,000
Right of Way	\$30,000
Utility Relocation	\$30,000
Construction	\$793,120
Total	\$913,120

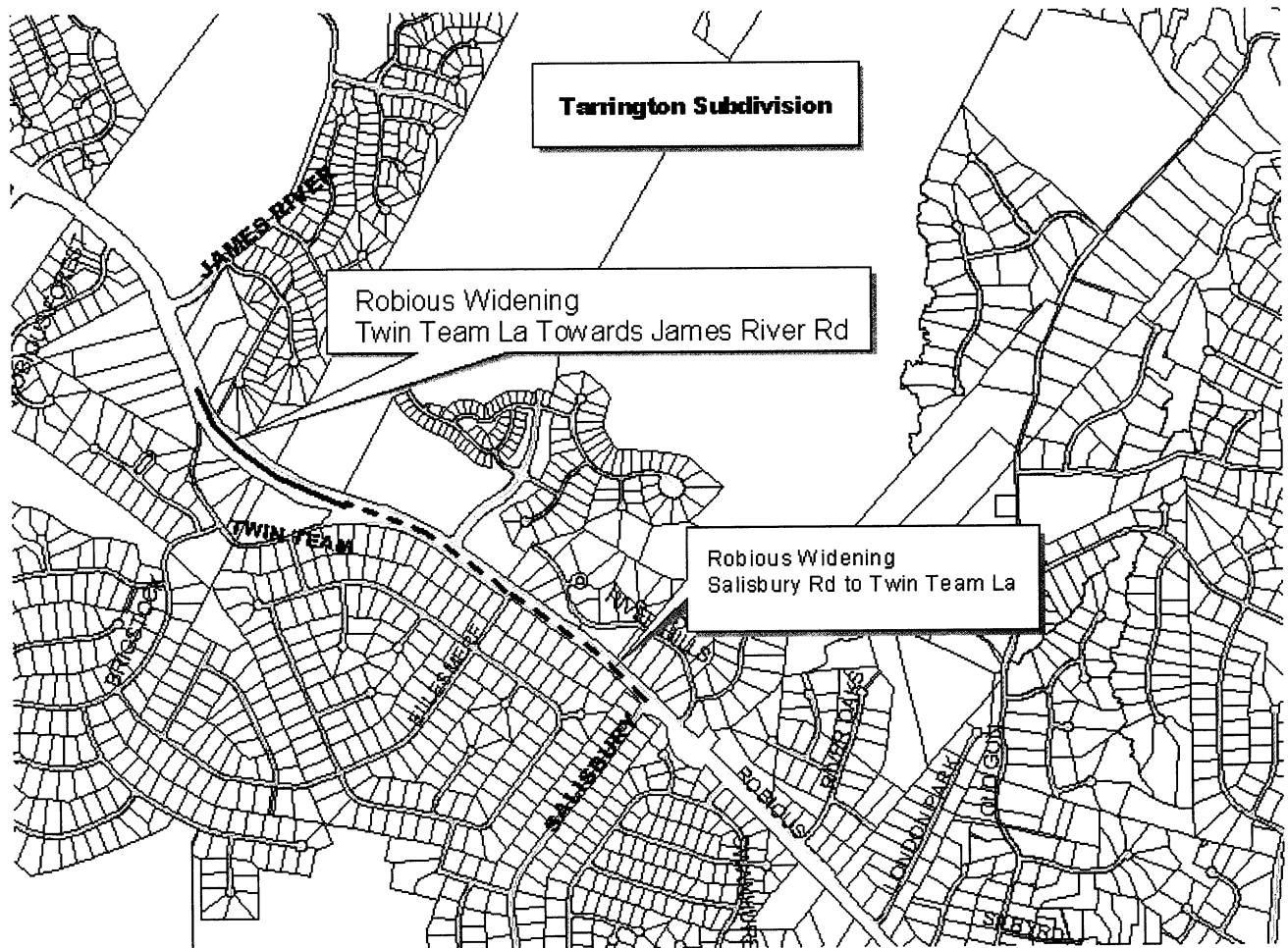
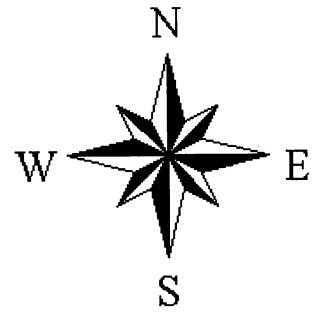
ALLOCATION

May 26, 2004 *	\$913,120	Traffic Shed 1
Total	\$913,120	

*Proposed Date

ATTACHMENT A

000280



ROBIOUS ROAD 4 LANE WIDENING PROJECTS

000281



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 2

Meeting Date: May 26, 2004

Item Number: 16.D.

Subject:

Public Hearing to Amend the Zoning Ordinance Relating to Development Standards for Retaining Walls in Office, Commercial and Industrial Districts

County Administrator's Comments:

Recommend approval after public hearing

County Administrator: _____

LJR

Board Action Requested:

The Planning Commission recommends the Board of Supervisors adopt the Zoning Ordinance amendment relating to development standards for retaining walls in Office, Commercial and Industrial Districts.

Summary of Information:

The Planning Commission has recommended approval of the attached zoning ordinance amendment.

The primary proposed changes are:

1. Regulate the architectural appearance of retaining walls.
2. Require landscaping to mitigate the visual impacts of retaining walls.
3. Permit Director of Planning authority to waive requirements regarding appearance and visibility based on site conditions.
4. Require vehicular and pedestrian safety devices for retaining walls greater than four (4) feet in height.

Preparer: Thomas E. Jacobson

Title: Director of Planning

Attachments:



Yes



No

#000282

**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 2 of 2

The Planning Commission directed staff to investigate and come up with proposed language regulating the appearance of retaining walls. This request came as the result of the recent construction of several highly visible retaining walls in the county, and the high likelihood of additional walls being constructed.

In addition to the issue of aesthetics, vehicular and pedestrian safety devices for walls were discussed and ordinance language addressing safety was included.

These changes were discussed with the development community at the March 2004 Quarterly Development Meeting. The Planning Commission, at their March 2004 public hearing, recommended approval to the attached amendment to the site plan section of the Zoning Ordinance.

000283

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY ADDING
SECTION 19-570.1 OF THE ZONING ORDINANCE RELATING
TO DEVELOPMENT STANDARDS FOR RETAINING WALLS
IN OFFICE, COMMERCIAL AND INDUSTRIAL DISTRICTS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) *That Section 19-570.1 of the Code of the County of Chesterfield, 1997, as amended, is added to read as follows:*

DIVISION 3. DEVELOPMENT REQUIREMENTS –
OFFICE, COMMERCIAL AND INDUSTRIAL

Subdivision I. General Provisions, Development Requirements – Countywide

o o o

Sec. 19-570.1. Retaining Walls.

(a) Retaining walls shall be constructed so that they are compatible in appearance with the principal structures in the development and/or the view shed in which they are located. Compatibility shall be accomplished through the use of integrated color block or other material that is similar in appearance to the primary structures or is an earth tone acceptable to the Director of Planning.

(b) Walls over ten (10) feet in height and within fifty (50) feet of, and facing, an exterior property line or public right of way shall employ landscaping along the wall base to soften the visual impact of the wall. Landscaping shall consist of any required setback planting as well as additional evergreen trees to break up large expanses of wall.

(c) Walls shall use the same setback as required for drives and parking from rights of way or property lines. When landscaping is required along the base of a wall, setbacks shall be increased, if necessary, so that a minimum ten (10) foot planting area is provided that is free from any easements, overhead or underground utilities, or other encumbrances that might prevent the installation of required landscaping.

(d) The director of planning may waive any requirements of 19-570.1(a) through 19-570.1(c) at the time of site plan review if it is determined that the visibility or impact of a wall is minimized due to its location, orientation or other conditions in the vicinity of the wall.

(e) Retaining walls four (4) feet tall and higher shall incorporate permanent fencing on the upper side of the wall, and if visible to the public, decorative fencing. Fencing shall be a minimum height of forty-eight (48) inches. If vehicle parking or drives occur on the upper side of the wall without sufficient physical impediment to a vehicle reaching the wall, at least one of the following measures shall be incorporated between the fence and the vehicle area: vehicle guardrails, earth berms at least three (3) feet high above grade on the approach side, or concrete filled steel bollards space four (4) feet on center.

(2) *That this ordinance shall become effective immediately upon adoption.*



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 16.E.

Subject: PUBLIC HEARING: Ordinance to Vacate a Portion of a Sixteen-Foot Alley Within Block 18, Plan of Crescent Park

County Administrator's Comments: *Recommend Approval*

County Administrator: *JBR*

Board Action Requested: Staff recommends that the Board of Supervisors adopt an ordinance to vacate a portion of a 16' alley between Lots 25 and 26, Block 18, Plan of Crescent Park, as shown on the attached plat.

Summary of Information:

Home Investments, L.L.C. has submitted an application requesting the vacation of a portion of a 16' alley between Lots 25 and 26, Block 18, Plan of Crescent Park. This request has been reviewed by staff and approval is recommended.

District: Bermuda

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes



No

000285

VICINITY SKETCH

PUBLIC HEARING: ORDINANCE TO VACATE
PORTION OF A 16' ALLEY WITHIN BLOCK 18,
PLAN OF CRESENT PARK



Chesterfield County Department of Utilities
Right Of Way Office



000286

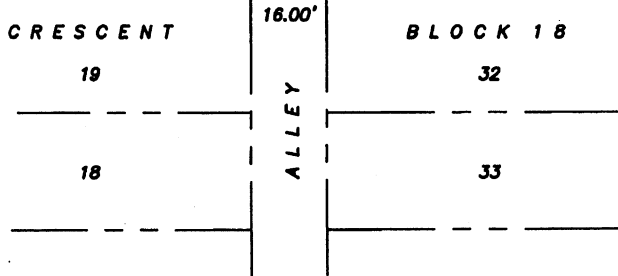
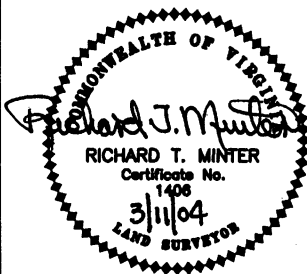
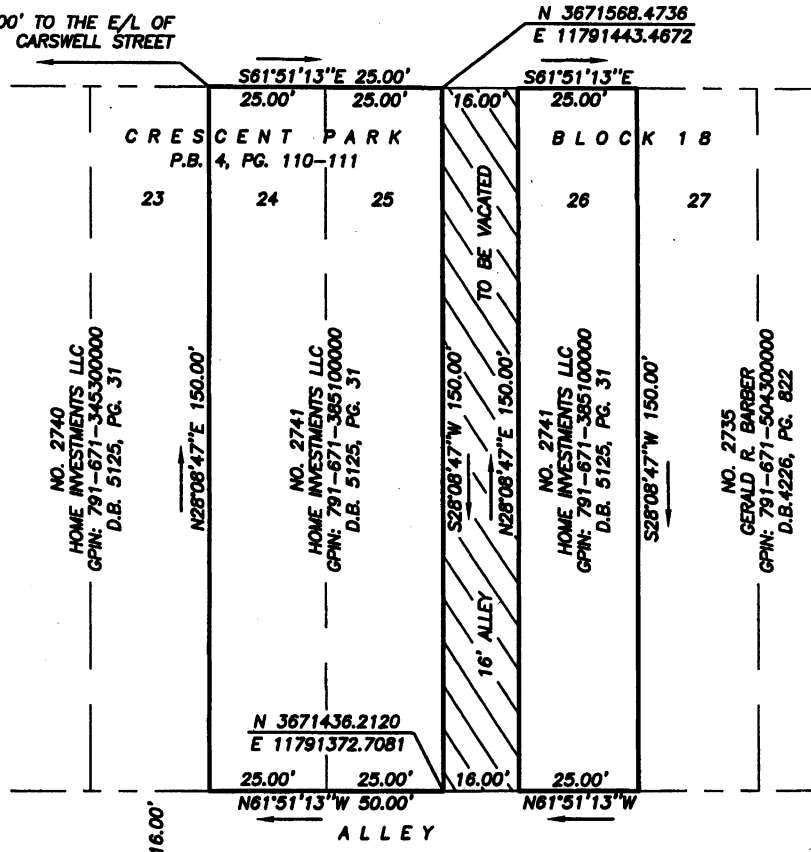
(SCALED FROM CHESTERFIELD
NO. 83
COUNTY GIS)

NOTE: THIS PROPERTY IS LOCATED IN
ZONE C AS SHOWN ON FEMA
COMMUNITY PANEL NO. 510035 0093 B
(EFFECTIVE MAY 2, 1994)

NORMANDALE AVENUE

50' R/W RTE. # 1624

100.00' TO THE E/L OF
CARSWELL STREET



PLAT SHOWING A 16' ALLEY TO BE VACATED IN
THE BERMUDA DISTRICT OF CHESTERFIELD
COUNTY, VIRGINIA.

POTTS, MINTER and ASSOCIATES, P.C.

Engineers, Land Surveyors, Land Planners
3680 Courthouse Road
Richmond, Virginia 23260
(804) 748-8876

Date: 3/11/04
Scale: 1"=30'
J.N. 0403-13

CHECKED: **RTM**

000287



**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 16.F.

Subject: PUBLIC HEARING: Ordinance to Vacate a Portion of a Forty-Foot Right of Way Known as Mid City Road Within Mid City Farms Subdivision

County Administrator's Comments: *Recommend Approval*

County Administrator: *JBR*

Board Action Requested: Adopt an ordinance to vacate a portion of a 40' right of way known as Mid City Road within Mid City Farms Subdivision.

Summary of Information:

Forest Lake Associates, L.L.C. is requesting the vacation of a portion of a 40' right of way known as Mid City Road within Mid City Farms Subdivision, Section A. Staff has reviewed this request and approval is recommended.

District: Bermuda

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:



Yes



No

000288

VICINITY SKETCH

PUBLIC HEARING: ORDINANCE TO VACATE A PORTION OF
A FORTY FOOT RIGHT OF WAY KNOWN AS MID CITY ROAD
WITHIN MID CITY FARMS SUBDIVISION

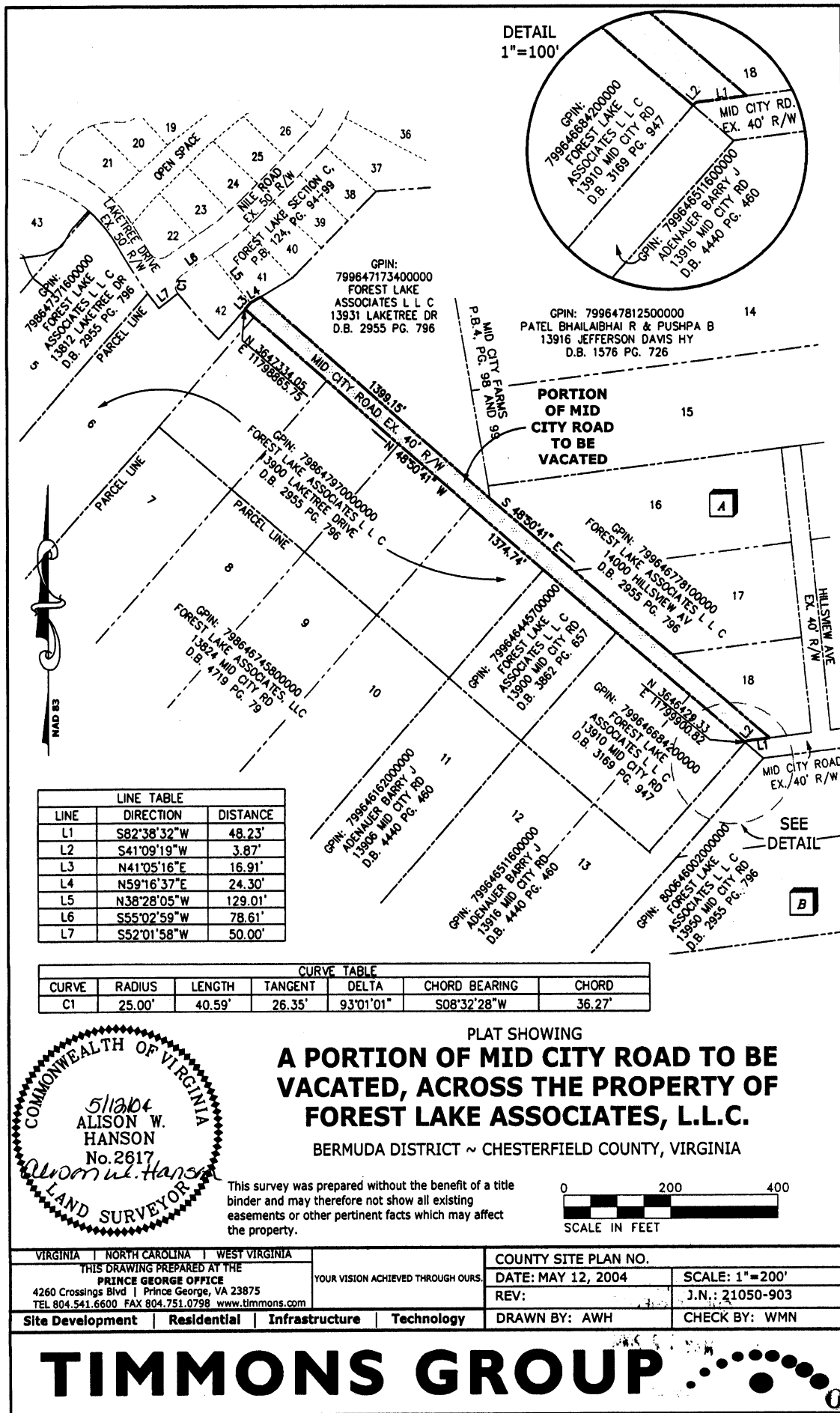


Chesterfield County Department of Utilities



Not equal 41667 feet

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**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 16.G.

Subject: PUBLIC HEARING: Consider the Leasing of County Property at the Midlothian Water Tank and Enon Tower

County Administrator's Comments: *Recommend approval after public hearing*

County Administrator: *JMR*

Board Action Requested: Approve the leasing of County property at the Midlothian Water Tank and Enon Tower to Nextel Communications.

Summary of Information:

Nextel Communications has submitted a request to lease space on the Midlothian Water Tank, 501 Coalfield Road and Enon Tower, 2801 Bermuda Hundred Road. The lease term will be for five years with three five-year renewal terms.

A public hearing is required to lease County property.

Approval is recommended.

Districts: Bermuda, Midlothian

Preparer: John W. Harmon

Title: Right of Way Manager

Attachments:

☐

Yes

☒

No

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**CHESTERFIELD COUNTY
BOARD OF SUPERVISORS
AGENDA**

Page 1 of 1

Meeting Date: May 26, 2004

Item Number: 19.

Subject:

Adjournment and Notice of Next Scheduled Meeting of the Board
of Supervisors

County Administrator's Comments:

County Administrator: _____ 

Board Action Requested:

Summary of Information:

Motion of adjournment and notice of a regularly scheduled meeting to be
held on June 23, 2004 at 3:00 p.m.

Preparer: _____ Lisa H. Elko _____

Title: _____ Clerk to the Board _____

Attachments:

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Yes

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No

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